

Volunteers



Volunteering is at the heart of any developed society. Supporting others for no financial gain can bring many positive benefits not just to the community served, but also to the volunteers themselves.

Many organisations rely on the support of volunteers to function properly. They make an invaluable contribution across many sectors, completing a wide range of tasks. Sometimes, meeting health and safety requirements is seen as a barrier preventing people from volunteering. This shouldn't be the case. However, you may have to think about what precautions are needed to protect them from danger.

Under **common (or civil) law**, voluntary organisations and individual volunteers themselves have a **duty of care** to each other and those who may be affected by their activities. Where something goes wrong, individuals may, in some cases, sue for damages as a result of another person's negligence.

To be successful, the injured person must show that the defendant had a duty to take reasonable care towards them, and they have suffered the injury through a breach of that duty. They must also show that the type of loss or injury for which damages are being claimed was a foreseeable result of the breach of the duty.

In addition to the common law, there is also **criminal (or statute) law**. This is the written law of the land, consisting of Acts of Parliament or Rules, Regulations or Orders made under them. Criminal liability can arise for failing to comply with the requirements of these, leading to prosecution, fines and, in extreme circumstances, custodial sentences.

The main statutory legislation is the Health and Safety at Work etc. Act 1974, supplemented by more specific regulations made under it. The Act applies to any organisation (including a voluntary one) which has at least one employee and sets out a number of duties on employers, intended to protect their employees and volunteers if they have them. In these circumstances, you should generally afford the same level of protection to volunteers as you do to any employees. For example, this may mean that you have to provide them with relevant information, training or personal protective equipment.

It is also important to note that certain aspects of the Act may still apply to you even if you do not have employees. In particular, this would be where you control non-domestic premises used as a **place of work** or where **machinery, equipment, appliances or substances** are provided for use by others (e.g. volunteers, members of the public). Here, you must take reasonable steps to make sure that these are safe.

Want to know more?

Other useful health and safety information is available on our [website](#).

Note: if you are in Ireland, Northern Ireland, Jersey, Guernsey or the Isle of Man, then regional variations might apply. In this instance, you should check the guidance provided by the enforcing authority for your region. This will be freely available on their website.

Need to contact us?

For further advice Ecclesiastical customers can call our risk advice line on **0345 600 7531** (Monday to Friday 9am - 5pm, excluding bank holidays) or email us at risk.advice@ecclesiastical.com and one of our experts will call you back within 24 hours.

This guidance is provided for information purposes and is general and educational in nature and does not constitute legal advice. You are free to choose whether or not to use it and it should not be considered a substitute for seeking professional help in specific circumstances. Accordingly, Ecclesiastical Insurance Office plc and its subsidiaries shall not be liable for any losses, damages, charges or expenses, whether direct, indirect, or consequential and howsoever arising, that you suffer or incur as a result of or in connection with your use or reliance on the information provided in this guidance except for those which cannot be excluded by law. Where this guidance contains links to other sites and resources provided by third parties, these links are provided for your information only. Ecclesiastical is not responsible for the contents of those sites or resources. You acknowledge that over time the information provided in this guidance may become out of date and may not constitute best market practice.