



INTRODUCTION TO THE RESEARCH PROJECT, DISCLAIMER AND COPYRIGHT

This is one of a series of “country-reports” produced by the Association of Voluntary Service Organisations (AVSO) and the European Volunteer Centre (CEV). They aim to provide comprehensive and practical information on volunteers and the law in a range of current and future European Union Member States. Each country report explores, in a standardised format, some of the key questions that face volunteers and volunteer-involving organisations in relation to their legal positions.

Important: the information contained in each country report is subject to resources and quality of information available. It is also subject to frequent change.

If you wish to comment on any of the country reports, or be involved in their annual updates in some form, CEV and AVSO would be delighted to hear from you.

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GENERAL DEFINITIONS OF VOLUNTEERISM

VOLUNTEERISM: refers to all forms of voluntary activity, whether formal or informal, full-time or part-time, at home or abroad. It is undertaken of a person's own free-will, choice and motivation, and is without concern for financial gain. It benefits the individual volunteer, communities and society as a whole. It is also a vehicle for individuals and associations to address human, social or environmental needs and concerns. Formal voluntary activities add value, but do not replace, professional, paid employees.

VOLUNTEERING (*Fr.: bénévolat*): can occur informally (for example neighbourly "helping-out"), or within the structures of a non-profit organisation. It is often (but not always) of a part-time nature. It may occur over one day or many years in a range of different fields. It is good practice to ensure that formal volunteers are covered by appropriate accident, health-care and third party liability insurance, that they receive appropriate training and management, as well as the reimbursement of all out-of-pocket expenses.

FULL-TIME VOLUNTARY SERVICE (*Fr.: volontariat*): refers to specific, full-time project-based voluntary activities that are carried out on a continuous basis for a limited period of time. Voluntary-service activities may occur at home and abroad. It is good practice to ensure voluntary service volunteers are afforded appropriate social protection, such as accident, health-care and third party liability insurance. Volunteers should also receive appropriate training and management, reimbursement of out-of-pocket expenses as well as appropriate accommodation and subsistence allowances as agreed between the volunteer and the non-profit organisation (and the State as appropriate).

LEGAL POSITION OF VOLUNTEERS IN THE UNITED KINGDOM

1. CONCEPT OF VOLUNTEERING IN THE U.K.

The Compact on Relations between Government and the Voluntary and Community Sector in England and the National Centre for Volunteering (NCV), England define volunteering as:

"An activity that involves spending time, unpaid, doing something that aims to benefit the environment or someone (individuals or groups) other than, or in addition to close relatives."

Volunteer Development Scotland defines it as:

"The giving of time and energy for the benefit of individuals, groups, communities, or the environment. It is undertaken by choice, and is the largest single means by which individuals engage actively with their communities. It is intrinsically linked to civic engagement, social justice, lifelong learning, and community regeneration."

2. VOLUNTEERS AND THE LAW

There is no one piece of legislation that refers explicitly to volunteers in the United Kingdom. Only general areas of law that apply to all U.K. citizens as individuals cover volunteers. Employment Law, which guarantees employees a certain set of rights, such as equal opportunities, rules on working hours, holiday, sickness and procedures for grievance and discipline etc. apply to employees only. Nevertheless, it is good practice in the U.K. to extend such rights and staff policies to volunteers, however there is no legal obligation to do so. U.K. Employment Law may only cover volunteers if the volunteer can prove s/he is “working” in return for some form of “consideration”. This creates an “employer-employee” contract, and the volunteer will be considered an employee.

The Anti-Discrimination Law And The Human Rights Act

The *Anti-Discrimination Law* is intended to ensure that employees are not unfairly discriminated against on the grounds of race, sex or disability. The Anti-Discrimination Law includes the Race Relations Act, Sex Discrimination Act and Disability Discrimination Act. Age and sexual orientation are not covered. These Acts, in theory, cover employees and do not cover volunteers, although a case could theoretically be brought by a volunteer under the “provision of services” part of the Acts. However, there have so far been no test cases to show that the Acts can be interpreted in this way.

The *Human Rights Act (1998)* is intended to guarantee all citizens in the U.K. a set of human rights. In practice, the Human Rights Act will rarely affect volunteers. In order to pursue a case under the Act, the volunteer would first have to prove that the organisation for whom s/he volunteered their time was a public authority. Public authorities include local authorities, health authorities, the police, courts, private companies and charities that carry out public functions (however, there is no clear guidance as to what constitutes a “public function”).

The parts of the Act that could potentially affect volunteers are:

- **Article 8 relating to the right to respect for private and family life:** individuals who feel that their privacy has been infringed upon may pursue a case under this article; consequently, charities need to have clear confidentiality policies in place that state what will be done with and who will have access to, volunteers’ contact details, references and police checks.
- **Article 14 which prohibits discrimination** – it was thought that volunteers could state this article in a case, but in actual fact it only works to protect individuals from different treatment in exercising their other convention rights (Articles 1-13), not from different treatment in all areas of their life.
- **Protocol 12** is not a compulsory part of the Act, but is a stand-alone right for individuals not to be a victim of discrimination. It has not, however, been endorsed by Britain yet.

Reimbursement Of Expenses And Other Necessary Economic Support Provided To Volunteers: Tax, Social Security And Labour Law Implications

Volunteers' Expenses

In the U.K. it is not a legal requirement that organisations should pay volunteers' expenses, but it is good practice to do so to ensure people are not excluded from volunteering because their expenses are not provided.

In the U.K., the Inland Revenue (IR) and the Department of Social Security (DSS) recognise the following as legitimate expenses for volunteers (Source: <http://www.wcva.org.uk>):

- Travel to and from the place where the volunteering activity takes place;
- Travel during the course of volunteering;
- Meals taken during the course of volunteering (up to £5 is recognised as reasonable but may be subject to change);
- Postage and telephone costs;
- Care of children and other dependants during the period of voluntary work;
- The cost of protective or special clothing.

In order to satisfy the Inland Revenue and the Department of Social Security, the expenses paid to the volunteer must reflect the actual costs incurred and must be at a "reasonable" rate, for example mileage rates must be within accepted Inland Revenue limits. Receipts for train or bus tickets should be provided as evidence of expenditure. Volunteers may also be paid in advance or for anticipated expenditure so long as appropriate evidence of expenditure follows.

In the U.K., volunteers should not usually be given fixed rate payments to cover their expenses, nor should organisations be tempted to pay more than is actually incurred by the volunteer because this could jeopardise any state benefits payments volunteers' may receive, and could place them in a tax liability situation with the Inland Revenue. Any payment which is more than the volunteer has incurred is considered as income and could contribute to a volunteer claiming legal status as employee under U.K. Employment Law.

For further information, see: <http://www.inlandrevenue.gov.uk>

Full-time Volunteers

Full-time volunteers in the U.K. who receive some pocket money, board and accommodation in the context of their volunteering are not liable to pay tax or to contribute to the State Department of Social Security. At the same time however, volunteers cannot claim legal status as employee under employment law (Source: Structure for Operational Support (SOS) of the European Voluntary Service Programme (EVS)).

The National Minimum Wage Act of 1998

Any payment to a volunteer which is for more than was actually incurred can bring the volunteer into a tax liability situation, can threaten their entitlement to certain state welfare benefits, and has the potential to change their status from volunteer to employee. Regular over-payment of expenses by an organisation to a volunteer can

contribute, in the eyes of the law, to the existence of a contract. Where volunteers receive no more in expenses than they have incurred, and where there are no benefits in kind, or expectations or obligations that they will provide services in return for these benefits, then there is little possibility for the National Minimum Wage Act of 1998 to apply.

Under the National Minimum Wage Act, volunteers are, under the terms of their employment, entitled to:

- No monetary payments of any description, OR no monetary payments except in respect of expenses, either actually incurred in the performance of his/her duties, OR reasonably estimated as likely to be or to have been so incurred; AND
- No benefits in kind of any description, OR no benefits in kind other than provision of some OR all of his subsistence OR of such accommodation as is reasonable in the circumstances of the employment.

A volunteer who receives a subsistence allowance, for example pocket-money, food and accommodation will only be excluded from the national minimum wage (NMW) only if:

- S/he is employed to do the work in question as a result of arrangements made between a charity, acting in pursuance of its charitable purposes, and the body for which the work is done; AND
- The work is done for a charity, voluntary organisation, an associated fund-raising body or a statutory body.

The following circumstances could individually or in combination, be interpreted as contributing to the existence of a contract:

- Regular payment or flat rate expenses in excess of actual costs;
- Perks such as honorarium or gifts in kind, or such as cut price membership benefits;
- An expectation by the volunteer that these benefits will be provided;
- An obligation to provide services in return for benefits;
- Training provided in return for work being performed;
- A requirement to repay training costs if a volunteer leaves within a certain time-scale.
-

Where a volunteer is able to demonstrate that any of the above criteria exists in their volunteering relationship, then a legal judgement may determine that a contract exists and that the national minimum wage applies. This may mean that an organisation is liable to pay the national minimum wage for each hour that a volunteer has spent working for the organisation.

The following cases reflect this legal interpretation:

Gradwell v CVS Blackpool, Wyre and Fylde 1997

The facts in this case were the following: all volunteers had signed a written volunteer agreement; the volunteers were obliged to attend training and a monthly meeting, but there was no other specified minimum time commitment of volunteers; the Council for Voluntary Service reimbursed actual expenses only.

The Tribunal decided that these volunteers were not employees, because neither payment of genuine expenses or providing training amounted to “consideration” and there was no “intention”.

Alexander v Romania at Heart

Mrs. Alexander ran a charity shop for three years, with managerial and financial responsibilities. She had a written job description, was paid expenses and received training. She had earlier turned down the offer of a salary because she did not wish to be paid.

Mrs. Alexander claimed unfair dismissal, but the tribunal decided that she was not an employee, because there was no consideration and therefore no contract. Training could amount to consideration but the organisation had no obligation to provide it: the skills Mrs. Alexander learnt simply accrued to her and weren't supplied as a benefit to her by the charity shop.

In other cases however, pocket money, subsistence payments, honoraria or lump-sums to cover possible expenses, training etc. have been considered as “payment” and therefore the volunteers as “employees”, leading to parallel issues concerning taxation, state welfare entitlements, the minimum wage and non-discrimination among others.

Examples of two cases in which volunteers have been able to prove that they were working under a contract of employment with the organisation, and were therefore entitled to full employment rights, are given below:

Armitage v Relate, 1994

Mrs. Armitage was a volunteer counsellor with Relate and claimed racial discrimination. The industrial tribunal decided that she was legally an employee. Relate conducted a very rigorous selection and training process, including a day-long residential interview. Under the service agreement, Mrs. Armitage was required to provide a minimum number of hours counselling each week. She had to repay part of the cost of training if she left before providing 600 hours of counselling. Relate undertook to provide training, to make reasonable arrangements for the counsellors' work and not to make any changes to working arrangements without reasonable notice and consultation. After three years' training, counsellors could become wholly paid or have some sessional paid work at the manager's discretion.

The Tribunal's decision was based largely on the requirement to repay the cost of training, the obligation to work a minimum 600 hours and the fact that training led to an opportunity for paid work with Relate.

Chaudri v Migrant Advisory Service (MAS), 1997

Mrs. Chaudri did administrative work with MAS for two years and claimed unfair dismissal and sex discrimination. The tribunal decided that she was an employee. Mrs. Chaudri worked four mornings a week and was described by MAS as a volunteer. She incurred no expenses as she lived nearby, walked to work and had lunch at home. Nevertheless MAS paid her volunteers' 'expenses' of £25 a week, the set sum they paid all their volunteers. They paid Mrs. Chaudri for weeks when she was on holiday or sick and increased the payments to £40 a week although Mrs. Chaudri still incurred no expenses.

The “expense” payments are a clear case of consideration. Regularly paying these amounts, including for holidays and sick leave, meant they became wages for employment.

Welfare Protection Of Volunteers

Volunteers And Health Care In The U.K.

U.K. And EU Citizens

Medical treatment and care in the U.K. is free, under the National Health Service (NHS), to all U.K. and E.U. citizens (on presentation of the E 111 Form). U.K. and EU volunteers can therefore expect to be treated under the National Health Service.

Third-Country Nationals

Anyone, or the spouse or child of anyone, who is an unpaid worker with a voluntary organisation offering services similar to those of a Health Authority or local authority social services department, will be entitled to receive full treatment in a National Health Service Hospital for free. If the volunteer is considered a trainee, they will also have the right to receive full health-care treatment free of charge.

Protection of Volunteers at Work: Insurance, Health and Safety

Volunteers are covered by Section 3 of the “*Health & Safety At Work Act*” of 1974, which imposes a general duty on every employer:

“To ensure, as far as reasonably practical, that persons not in their employment, who may be affected by their undertaking, are not exposed to risks to their health and safety” and “to give information as might affect their health or safety”.

Employers' Liability Insurance

All organisations are legally required to have Employers' Liability Insurance for their employees in the event of an accident, illness or injury suffered in the course of their work. It can also be extended to volunteers.

Public Liability Insurance

Organisations involving volunteers will need to check whether their Public Liability Insurance policy covers volunteers and any acts which result in a volunteer causing injury or loss to other volunteers or employees. Without this insurance, the organisation or the individual responsible for the negligent act could be held personally liable.

An organisation providing advice to the public should also consider professional indemnity (or errors and omissions) insurance to cover themselves and their volunteers in the event of giving incorrect advice.

Personal Accident Insurance

Personal Accident Insurance is not provided by all organisations to their volunteers and there are often exclusions regarding who can be covered, for example age restrictions and what activities are covered. Age limits for personal accident cover on some insurance policies has led some organisations to set upper age limits for many volunteer roles. This should be challenged as arbitrary and discriminatory, and indeed recent challenges to insurance companies on this point have led to some changes.

Motor Vehicles Insurance

All drivers are required by law in the U.K. to have motor vehicle insurance. Organisations involving volunteer drivers using their own vehicles should ensure that volunteers have up-to-date insurance cover (and a current driving licence valid for the type of vehicle being driven) and that they have told their insurance company that the vehicle is being used for voluntary activities. It is possible to arrange “contingent motor liability insurance”, “which protects the organisation against any legal liability that may arise from a volunteer being involved in an accident during the course of their volunteer work and who has not informed their insurance company. Some organisations add cover for drivers to their public liability policy.

Older volunteer drivers using a vehicle provided by the organisation for whom they are volunteering can pose a particular set of difficulties. Insurance companies may impose upper age limits or require volunteers over a certain age to re-take their driving test. In this context, it is therefore easier if the volunteer driver uses his/her own vehicle.

Volunteers and State Social Welfare Benefits

Volunteering while in receipt of state welfare benefits is acknowledged as something which can improve peoples' personal circumstances because it increases self-confidence, builds skills and enhances employment prospects. However, volunteers must inform their local benefit office of their intention to volunteer and await written approval before beginning.

Volunteering and the Job Seekers Allowance

Those who are out of work and claiming Job Seekers' Allowance can volunteer without restriction. However, it is important that volunteering does not affect peoples' capacity to look for work and therefore someone working full-time five days a week

would probably be deemed not to be “actively seeking work”. Unemployed volunteers must also be available to take up an offer of work within 48 hours notice in order to retain entitlement to benefits payments. Those who claim Job Seekers Allowance and who wish to volunteer must therefore reassure their local benefit office they are still actively seeking work, can be contacted quickly and do not receive any pay other than expenses or monies to pay for any necessary tools or clothing.

Incapacity Benefit

Those in receipt of long-term sickness or incapacity benefits, may volunteer without restriction however the volunteer will need to reassure the Benefits Agency that the work they will be doing as a volunteer is not the same as that for which they have been declared unfit. There is no limitation on the amount of time the person may spend volunteering.

Voluntary Service Abroad and State Welfare Benefits

According to general rules, leaving the U.K. to volunteer abroad has the following consequences:

- ***Housing Benefits:*** those who leave the U.K. to volunteer abroad will lose entitlement to housing benefit if they leave the U.K. for periods of longer than 6 weeks;
- ***State Unemployment Benefits:*** those claiming the Job Seekers Allowance are allowed to volunteer without restriction provided they can prove that they meet the general requirements of being actively seeking, and available for work. This means that, in most cases, those in receipt of job seekers allowance will lose entitlement to unemployment benefit if they leave the U.K. to volunteer abroad. In principle, volunteers should not have any problems recovering their entitlements to welfare benefit upon their return to the U.K.;
- ***Family Allowances:*** in cases of dependant children or young people leaving the U.K. for periods of longer than 8-10 weeks, families will lose entitlement to child benefit. Families can apply for this benefit once their child returns to the United Kingdom, provided that the returned volunteer still fulfils the required conditions:
 - That s/he is aged under 19;
 - That s/he is returning to full-time education of at least 12 hours per week at a recognised educational establishment, and;
 - S/he is studying towards a qualification up to, and including A level/(G)NVQ Level 3 or equivalent.

Volunteers From Abroad: The Right To Stay And Volunteer In The UK

The “*Asylum and Immigration Act*” of 1996 (Section 8) makes it a criminal offence to employ a person who does not have the right to work in the U.K. This does not apply to volunteers unless they legally qualify as “employees”.

Regarding the right to stay and volunteer in the U.K., different conditions apply to nationals from different countries.

European Union and European Economic Area (E.E.A.) Nationals

Those from E.U. Member States or from E.E.A. countries, i.e. Iceland, Norway and Liechtenstein need neither a work permit nor a residence permit to volunteer in the U.K. However, they may be required to provide evidence of resources provided to meet subsistence costs to prove they will not need assistance from the U.K. social security system. The organisation for whom the volunteer is volunteering could write a letter in this regard detailing subsistence support provided to the volunteer.

Non-E.U. Nationals

Non-E.U. country nationals may require a “volunteer visa” or a work permit in order to volunteer in the UK.

Volunteer Visas

For non-EU nationals volunteering within the framework of a recognised full-time voluntary service programme, the U.K. authorities do issue “volunteer visas”. This occurs in virtually no other E.U. Member State. Volunteers from non-E.U. countries should apply for the visa or entry clearance certificate in the country of residence before departure. They must satisfy the following U.K. Home Office conditions:

- They volunteer with a registered charity;
- Pocket money, board and accommodation may be provided, but no additional remuneration;
- The volunteer's work must be closely related to the aims of the organisation, i.e. They should be directly assisting the people the organisation has been established to help, rather than doing purely clerical, administrative or maintenance work;
- The volunteer may be allowed to stay in the country for a maximum of 12 months;
- The volunteer must not seek or take paid employment whilst they are in the UK.

Work Permit

For those who are not volunteering within the framework of a recognised full-time voluntary service programme, non-E.U. nationals not legally resident in an E.U. Member State and those who are not legally resident in an E.U. Member State generally need a work permit to take up "employment paid or unpaid", which includes volunteering. Applications for work permits must be submitted to the relevant authorities in their country of residence, i.e. the British Embassy or Consulate.

Refugees and Asylum-Seekers

Refugees

Those who have recognised refugee status or who have been granted exceptional leave to remain in the U.K., as well as their family members, are allowed to work, including voluntary work. For further information, contact the British Refugee

Council, 3 Bond way, Vauxhall, London SW8 1SJ, Telephone: 020 7820 3085,
Website: <http://www.refugeecouncil.org.uk>

Asylum-Seekers

As of April 2000, asylum seekers, i.e. those people in the process of applying for refugee status, and their family members, are allowed to volunteer. This includes the period whilst they are appealing against a decision to refuse them asylum. Asylum-seekers can be reimbursed normal volunteer expenses. Home Office guidance states that care should be taken to ensure that voluntary activity undertaken by an asylum-seeker is genuinely voluntary and does not amount to either employment or job substitution. If an asylum-seeker's application is still outstanding after 6 months, they may apply for permission to work under a concession outside the Immigration Rules. This is usually granted.

For a free guide to Section 8 of the Asylum and Immigration Act , contact the Commission for Racial Equality (CRE), Web site: <http://www.cre.gov.uk>, E-mail: info@cre.gov.uk

Rules Applying To Other Categories Of Third Country National

- Working holidaymakers: are permitted to volunteer.
- Spouses of work permit holders: are permitted to volunteer.
- As of mid-1999, students from outside the E.U. or European Economic Area, no longer need permission to undertake part-time or holiday work, including volunteering. Some restrictions remain in place, including a limit of 20 hours per week during term-time, unless the college or university agrees otherwise.

For further information, contact the Immigration and Nationality Department,
Website: <http://www.ind.homeoffice.gov.uk> Tel: 44 87.06.06.77.66.

3. GOVERNMENTAL ACTIONS TO SUPPORT AND PROMOTE THE VOLUNTARY SECTOR AND VOLUNTEERING

In 1998, the U.K. saw the development of a series of Compacts, which aim to provide a framework for relations between government and the voluntary and community sector in the country.

Compact on Relations between Government and the Voluntary and Community Sector in England.

The Compact on Relations between Government and the Voluntary and Community Sector in England is an expression of the commitment of government and the voluntary and community sector to work together for the betterment of society, and to nurture and support voluntary and community activity.

The Compact sets out the key principles and undertakings, which should underpin the relationship between the two, but is not a legally binding document. Key principles include recognition that voluntary action is an essential component of any democratic society, that government and the voluntary sector have distinct but complementary

roles, and that consultation improves policy development and enhances design and delivery of services and programmes. The government undertakes, among other things to recognise and support the independence of the sector, pay attention to proportionality, targeting consistency and transparency in government funding, consult the sector and promote effective working relationships. The voluntary and community sector undertakes to maintain high standards of governance and conduct and to ensure service users, volunteers, members and supporters are informed and consulted about government consultations. The document also sets out procedures for resolving disagreements between the two.

The Compact includes five supplementary codes:

- Volunteering: A Code of Good Practice
- Consultation and Policy Appraisal: A Code of Good Practice
- Black and Ethnic Voluntary and community Organisations: A Code of Good Practice
- Funding: A Code of Good Practice
- Local Compact Guidelines: Getting Local relationships Right Together

The *Volunteering Code of Good Practice* outlines the importance of volunteering, sets out the undertakings of both government and the voluntary and community sector and aims to enable more people to become involved in the varied forms of voluntary activity that are a vital part of active citizenship and offer them the necessary support.

For a copy of the Compact and the five supplementary codes, contact the National Centre for Volunteering, England: info@thecentre.org.uk

The Compact between Government and the Voluntary Sector in Scotland

The Compact between Government and the Voluntary Sector in Scotland was launched in October 1998. It lays down a framework of principles covering the working relationship between central government and its agencies in Scotland and the voluntary sector and volunteering interests, including community organisations. It describes commitments by government and the voluntary sector under the five headings of Recognition, Representation, Partnership, Resources and Implementation.

In June 2000, the Scottish Executive published the Scottish Compact Good Practice Guides advising Executive Departments, Non-Departmental Public Bodies and government agencies on how to implement the commitments in principle made in the Compact.

Contact the Scottish Council for Voluntary Organisations (SCVO) for further information: <http://www.scvo.org.uk>

The Voluntary Sector Partnership Council (VSPC) in Wales

The Voluntary Sector Partnership Council (VSPC) and Ministerial meetings are key mechanism for maintaining formal dialogue between the voluntary sector and the Wales National Assembly.

Key achievements of the VPSC include the publication of the Welsh Assembly Government's Code of Practice for Funding the Voluntary Sector and the provision of baseline information on Assembly direct and indirect funding of the voluntary sector – invaluable for enabling the sector to monitor its relationship with government. The Ministerial meetings are valued by the voluntary sector as an opportunity for regular dialogue with Ministers as well as an opportunity to contribute to policy development. Specific outcomes and positive developments include, among others, the voluntary sector involvement in the education for sustainable development panel and the Assembly's Building Strong Bridges project, to propose increased voluntary involvement sector in health.

Building Strong Bridges is the culmination of a six-month project by the Welsh Assembly Government, working with WCVA and the voluntary sector. The report outlines 23 recommendations to respond to the consultation on Structural Change in the National Health System in Wales. If implemented, the recommendations will make a significant difference to the relationship between the voluntary sector working on the field of health, well-being and social care, and statutory partners.

For further information on Wales relations with the Wales National Assembly contact help@wcva.org.uk

The Compact between Government and the Voluntary and Community Sector in Northern Ireland

This Compact, called Building Real Partnership, is a jointly-prepared, agreed statement of the general principles and the shared values which governs the development of the relationship between Government and the voluntary and community sector in Northern Ireland. The Compact applies to the relationship in Northern Ireland between Government (both central and local, including Departments, non-Departmental Public Bodies (NDPBs), statutory agencies, and District Councils) and the voluntary and community sector (which includes voluntary and community organisations and those who volunteer in those organisations and in other settings).

The text of the Compact can be found at:

http://www.dsdni.gov.uk/publications/documents/building_real_partnership.pdf

The Compact:

- Clarifies different roles in the relationship between Government and the voluntary and community sector.
- Establishes the shared values and principles that underpin the partnership between Government and the voluntary and community sector.
- Identifies the commitments to ensure that the values and principles within the Compact govern the relationships between Government and the voluntary and community sector.
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The Compact also contains a Code of Practice on Volunteering, which can be found at: http://www.dsdni.gov.uk/publications/documents/Partners_for_Change.pdf

Government Funding To Support Volunteering

In the United Kingdom, volunteering is a devolved responsibility of the government administrations in England, Scotland, Northern Ireland and Wales. In each country the national development agencies, and a number of other volunteering organisations, are strategically funded by government.

Specific volunteering programmes introduced by government include:

Millennium Volunteers

The Millennium Volunteers Programme is a U.K. government-funded initiative to encourage and support volunteering among young people between the ages of 16-24. The programme began in 1997.

The Millennium Volunteers Programme aims to:

- Offer challenging and interesting volunteering opportunities;
- Enable young people to acquire new skills and knowledge and develop personally;
- Increase recognition of volunteering by young people in the community
- Set a standard for volunteering opportunities;
- Make a positive impact within local communities;
- Encourage ownership of the programme by young people.

Young volunteers must complete 200 hours of voluntary work in one year, in return for which they receive a certificate signed by the Secretary of State for Education and Skills which recognises them as a Millennium Volunteer. See:

<http://www.millenniumvolunteers.gov.uk/>

The Experience Corps

The Experience Corps aims to encourage those aged 50 and over to offer their skills and experience to benefit others in their local community. The programme was set-up with U.K. government funding as an independent, profit-making company.

Volunteers who are recruited to the Experience Corps are referred to organisations, which have identified opportunities for older volunteers in their local community.

See: <http://www.experiencecorps.co.uk/>

TimeBank

TimeBank is a high profile national campaign, funded by the U.K. government to raise awareness of volunteering and make it easier for people to give their time to the local community. It uses web-based technology to match the interests, skills and availability of volunteers (who are known as TimeGivers) with a range of volunteer opportunities around the U.K., see: <http://www.timebank.org.uk/>

4. FINAL REMARKS

Voluntary activity enjoys a long tradition in the United Kingdom. Consequently, awareness of its importance and value to individuals, communities and society is fairly high. This is reflected in long traditions of good practice by organisations in the involvement of volunteers, such as the reimbursement of all out-of-pocket expenses, adequate health and safety coverage while volunteering, etc. More recently, the U.K. has seen the creation of a series of “Compacts” on relations between the government and voluntary and community sector, which attempts to lay down a framework for mutual support, respect and responsibility, including good practice guidelines on volunteering. Nevertheless, it must be stated that there is no legal obligation on volunteer-involving organisations (or the government) to fulfil the above-mentioned measures. All measures remain voluntary, therefore in many ways volunteers still remain unprotected. In addition, the above-mentioned case law indicates that legal uncertainty can persist in relation to the “volunteer vs. employee” debate.

However, the United Kingdom is one of the only countries of Europe to issue specific “volunteer visas” to volunteers coming to the U.K. from abroad, and the “Compact” although not a legally binding instrument is an important first step in recognising and valuing the voluntary and community sector, and volunteers. The U.K. government has also, more recently, stepped up support for volunteer programmes, in particular the Millenium Volunteers Programme, which enjoys enormous success nationally and is increasingly recognised as a valuable tool for young people to gain skills and experiences, whilst contributing to individuals and local communities.

5. USEFUL CONTACTS

CEV Members

National Centre for Volunteering England (NVC) Information Service,
Regent’s Wharf,
8 All Saints Street,
London N1 9RL
UK
Tel: 44 207 520 8900
Fax: 44 207 620 8910
Website: <http://www.volunteering.org.uk>

Volunteer Development Scotland?
Stirling Enterprise Park,
Stirling FK7 7RP
United Kingdom
Tel: 44 1786 47 95 93
Fax: 44 1786 449 285
Website: <http://www.vds.org.uk>

Wales Council for Voluntary Action
Baltic House,
Mount Stuart Square,
Cardiff CF10 5FH
United Kingdom,
Tel: 44 2920 431 700

Fax: 44 2920 431 701
Internet: www.wcva.org.uk

Volunteer Development Agency, Northern Ireland
58 Howard Street
Belfast BF1 6PG
Northern Ireland
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Other Useful References:

- “The Commission on the Future of the Voluntary Sector, Meeting the Challenge of Change: Voluntary Action into the 21st Century”, 1996, London: NCVO, p 76;
- “Volunteering - The Long Arm Of The Law”, The International Journal of Not-for-Profit Law - Volume 2, Issue 4 Debra Morris, Charity Law Unit, University of Liverpool.

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Further Information:

The “*Legal Status of Volunteers Project*” has been jointly managed by the *European Volunteer Centre (CEV)*, and the *Association of Voluntary Service Organisations (AVSO)*. For further information, please contact Project Managers, *Gail Hurley (CEV)* and *Jana Hainsworth (AVSO)* on:

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