Government of **Western Australia**
Department of **Local Government and Communities**

Guidelines for Successful Partnerships

between Public Sector Agencies and Volunteers

Contents

1. Introduction and Overview

Format

The guidelines are set out in four sections in accordance with key aspects of the development and management of government-volunteer partnerships.

Section 1: Introduction and Overview

Section 2: Establishing the Partnership

Section 3: The Partnership in Practice

Section 4: The Partnership Framework

The guidelines provide an overview of pertinent issues for public sector agencies with references to further sources of detailed information. This information is also useful for local government agencies that have volunteer partnerships.

Introduction

Western Australian public sector agencies work in partnership with thousands of volunteers in a variety of ways to deliver a range of information and services to the Western Australian community. These vary from the direct participation of volunteers in the delivery of government goods and services to the involvement of government in providing financial support, governance capacity, and organisational development to volunteer groups. The guidelines focus on direct involvement of volunteers or volunteer groups in contributing to the work of public sector agencies.

The state government strategy Vital Volunteering 2011 – 2016 develops an ethos to promote, support, and value volunteering in a partnership approach to building strong, connected, vital, and sustainable communities in Western Australia. Agencies are increasingly engaging in a partnership approach to involving volunteers and volunteer groups, replacing the concept of volunteers as another resource used by the government. Public sector agencies report the dual benefits of such partnerships in also achieving organisational objectives such as engagement with the community, increasing public education, and awareness of social, health, and environmental issues, and in building the capacity and connectedness of local communities throughout the state.

Purpose

These guidelines assist in the development of agency-specific policies for achieving effective volunteer partnerships in the public sector. They will serve as a reference tool for Chief Executive Officers, Directors General, and Managers to engage in partnerships with volunteers.

The guidelines:

- recommend good practice principles and strategies for public sector agencies working in partnership with volunteers; and
- outline key legislation, policies, and programs relevant to the management of partnerships with volunteers and provide links to further information.

Applicability

'Public Sector Commissioner's Circulars' focus on cross-government issues of strategic importance to the state and apply to all entities covered by the *Public Sector Management Act 1994*, that is, excluding those listed in Schedule 1 to the Act, unless expressly endorsed by Cabinet.

Hundreds of thousands of volunteers are involved with local governments and non-government organisations not covered by the *Public Sector Management Act 1994*. While these guidelines do not directly apply to these organisations, the information contained herein may still be useful and relevant.

Scope

These guidelines are deliberately broad in scope, describing general principles rather than rigid procedures. This approach accommodates the many diverse relationships between public sector agencies and volunteers. Each agency's relationship with its volunteers is unique. The guidelines allow agencies to accommodate individual needs and structure their volunteer policies, procedures, and programs to achieve the best results.

Background

The guidelines were first developed in 1994 following consultation with the public and key community sectors. Capitalising on the impetus provided by the 2001 International

Year of Volunteers, a consultative review of the guidelines was undertaken in 2002. The second edition guidelines in 2003 built on the original and reflected the social, government, demographic and structural changes affecting volunteer involvement in public sector agencies at that time. There was a commitment to continue reviewing the guidelines to maintain its currency. As a result, a third edition was published in 2006.

To mark the tenth anniversary of the International Year of Volunteers in 2011, a fourth edition was released. Reflection on the progress of volunteering practices forms part of the commemoration of this milestone. In response to new issues and trends relevant to today's government-volunteer partnership development and management, this edition of the guidelines contains additional amendments and updates. In the future, emerging issues both internally and externally will continue to impact on this relationship. Information about any such changes can be directed to the Department of Local Government and Communities for inclusion in updating the guidelines.

Defining Volunteers

These guidelines focus on volunteer involvement with public sector agencies.

In keeping with the previous editions of these guidelines, it is recognised that volunteers participate:

- of their own free will and the activity is of mutual benefit to both the volunteer and the community or recipient of the volunteering service;
- without financial reward (except for the reimbursement of reasonable out-of-pocket expenses incurred if agreed by the agency and the volunteer);
- in undertaking clearly established tasks in positions not designated to paid staff; and
- in the delivery of government and non-government services.

People contributing to the agency as part of a work experience placement or receiving an honorarium or stipend are not included in these guidelines.

In discussing how to define 'volunteers', it is important for agencies to set the context in which government–volunteer partnerships now operate. Importantly, volunteerism is a dynamic concept with traditional definitions limited in their capacity to capture and describe the different types of volunteers involved and the complexity of situations in which partnerships are developed. Volunteering is evolving in nature and volunteers now participate as active contributors to the work of many agencies in a range of different ways. Rather than seeking to define volunteers in terms of parameters of

involvement, agencies should consider defining the partnership in terms of the outcomes and benefits sought by both parties. Volunteering Australia's principles of volunteering may be a useful measure to underpin partnerships.

Relevant Legislation

Key legislation directly relating to volunteers is the *Volunteers and Food and Other Donors (Protection from Liability) Act 2002*. The Act protects volunteers from incurring civil liability whilst doing community work on a voluntary basis and transfers that liability to the community or government organisation that organised the work done by the volunteer. Other relevant legislation exists that indirectly applies to government-volunteer partnerships. It is important for government to understand its responsibilities for volunteers as part of its risk management.

Volunteers are unpaid and hence are not employees of public sector agencies. Thus, governing legislation of the Western Australian public sector does not apply to volunteers. It is important for Statutory Authorities to review their enabling legislation where provisions specifically apply to volunteers. Current standards and practices for managing employees in the public sector form an 'in-principle' guide for managing volunteer partnerships in this document, but human resources practices for paid employees may be inappropriate for volunteer management in some circumstances.

Relevant Policies

The guidelines are consistent with the following policies and standards. It is important to point out though that volunteering is a dynamic activity where policies and standards continually face review and development:

United Nations Universal Declaration on Volunteering

Developed by the United Nations during the International Year of the Volunteer in 2001, this charter outlines broad objectives and principles for volunteering.

Volunteering Australia's National Standards for Involving Volunteers in Not-for-Profit Organisations

These Standards for best practice volunteer management developed by Volunteering Australia contain an overview of key areas with accompanying checklists.

Volunteering Australia's Model Code of Practice for Organisations Involving Volunteers

Based on the National Standards, the Code identifies policy considerations for volunteer-involving organisations.

Vital Volunteering 2011-2016: The State Government's Commitment to Supporting and Promoting Volunteering in Western Australia

The state government has clearly set out core values of volunteering, in consultation with the community, and acknowledges contemporary practices to guide support into the future. The strategies identified will be implemented in partnership with the non-government, corporate, and public sectors, as specified in the pledge to "provide leadership to assist state government agencies to use best practice processes for involving and managing volunteers within their own programs."

The following strategies will be progressed:

- support the expansion of effective communication channels to share information and other resources related to volunteering, and particularly to volunteer management
- build and support the governance capacity of volunteer-involving organisations and volunteer-run groups, and take initiatives to reduce administrative red tape in grants processes
- support and promote the benefits of corporate volunteering through the development of best practice guidelines and models for employee volunteering
- explore strategies to expand the involvement of staff from the public sector as volunteers in the community sector
- support and encourage the development of innovative and inclusive strategies for the recruitment and retention of volunteers that respond to contemporary volunteering trends and patterns
- support and undertake research on volunteering to inform the development of new volunteering initiatives and directions
- develop strategies to strengthen and support volunteering in regional and remote communities
- promote greater awareness and understanding of the roles of Volunteer Resource Centres and Volunteering WA
- recognise the valued contribution of volunteers through funding community recognition events such as Thank a Volunteer Day and National Volunteer Week

- reduce the financial burden to organisations by subsidising National Police Checks for Volunteers and Working with Children Checks
- review legislation impacting on volunteers and volunteering.

2.   Establishing the Partnership

Planning Volunteer Partnerships

Agency Policy

Many agencies working with volunteers already have policies and procedures for managing the partnership with volunteers in place. Agencies ought to review existing policies, and those without a policy should consider developing one. Not all agencies can or need to use volunteers. The decision to engage in a partnership arrangement is at the discretion of Chief Executive Officers, Directors General, and/or Boards of Management.

Volunteer Involvement

Agencies involved in or considering a volunteer partnership should:

- evaluate the role of prospective volunteer activities within the overall strategic plan of the organisation
- assess how the volunteers may impact from a risk perspective on the achievement of the agency 's ethical and business objectives
- carefully assess the specific tasks to be performed by volunteers;
- consider how the activities to be performed by the volunteers may impact on the volunteers themselves, the agency 's clients, staff and the general public
- review how involving volunteer services may affect an agency 's RiskCover or insurance coverage
- determine the skills and/or knowledge volunteers can contribute
- examine the training needed for volunteers to provide required services
- consult with managers, paid staff, unions and volunteers
- realistically and comprehensively consider the costs and benefits involved
- regularly review volunteer policies to reflect social changes
- consider issues such as recruitment, retention, and recognition that relate to volunteers.

Costs and Resourcing

Public sector agencies should consider the resourcing implications of volunteer involvement before developing a volunteer program or engaging in a partnership. While

volunteers are unpaid by definition, they are not cost free. Effective partnerships involve sufficient resourcing of volunteer activities and volunteer management. Agencies need to be aware that using volunteers can entail significant effort and should not recruit volunteers without adequate resources.

Volunteering and Employment

It is important that volunteering is never used as a precondition for paid employment. If a direct link between voluntary service and paid employment exists, volunteering could be regarded as a means of securing employment, rather than a meaningful pursuit in its own right. It may also suggest to paid staff that volunteers are being trained to replace them or imply to volunteers that they are entitled to future paid employment at the agency. Even so, experience in volunteering can improve an individual's job prospects by providing them with opportunities to gain skills and knowledge and demonstrate leadership, commitment and participation in the community.

Developing a Partnership

During the development of the partnership and the decision to engage with volunteers, public sector agencies should clearly identify:

- Why they are engaging in the partnership?
- What outcomes they hope to achieve from it?
- How the volunteer program will align with organisational objectives?

    The following should also be developed:
- a policy position on volunteer involvement
- a guide that outlines the agency's approach to working with volunteers and provides volunteers with guidance about engaging with the agency
- a communication strategy to ensure the above information reaches all stakeholders.

Defining the Partnership

A partnership with volunteers is an informal arrangement and is not a partnership in the legal or technical sense of the term. Respective roles and responsibilities of the agency and volunteers need clear identification and communication to all parties. Tasks done by volunteers should not impinge on public sector employment work areas.

Documenting the Partnership

Agreed roles and responsibilities require documentation via a written agreement, volunteer charter, or a memorandum of understanding. This establishes and clarifies mutual obligations and commitments. The written agreement should also address other issues specific to the individual partnership such as responsibility for managing other volunteers, procedures, and actions if a breach of the agreement occurs.

Volunteer Activities

Agencies need to ensure that volunteer activities positively support the achievement of program and organisational objectives. The volunteer activity should be meaningful, both to the volunteer and in contributing to the work of the agency. Volunteers should not be exploited or expected to perform tasks that paid staff are reluctant to undertake. In defining activities undertaken by volunteers, agencies should also consider the likely impact on managers due to different supervisory demands. Volunteers often require particular attention and management support.

Negotiation of Specific Tasks

Sometimes it will not be possible to determine in advance the exact duties performed by volunteers. Once general suitability is ascertained, agencies may need to negotiate final task parameters with individual volunteers. However, volunteers need to be engaged with the aim of participating in mutually meaningful, important, and satisfying tasks that contribute to the agency's overall strategic plan.

Evaluation

Evaluation is an important consideration during the planning stages of partnership development. For more information, please refer to **Section 3**.

Recruitment

Agencies should aim to foster the recruitment of a diverse range of volunteers to reflect contemporary Australian communities. Volunteers are young people, seniors (including baby boomers), people with disabilities, people from culturally and linguistically diverse backgrounds, and Indigenous people. Balancing gender, wherever possible, also assists in this respect.

Creating a variety of volunteering opportunities that are flexible in terms of the availability and interests of potential volunteers is important in both recruitment and retention.

Advertising

Most people become aware of and involved in volunteering through word-of-mouth sources of information. In addition, many agencies recruit volunteers through a range of advertising methods. Advertising by government agencies should adhere to the government's policies on **Advertising Guidelines** and **common badging policy**.

Volunteer opportunities may be advertised on the Volunteering WA website, in 'The West Australian' newspaper, in 'The Sunday Times', local and community newspapers, community organisation newsletters, Volunteer Resource Centres, through the electronic media (particularly community radio stations) and, increasingly, through social media.   The Office of Multicultural Interests (OMI) provides a list of ethnic media organisations to assist in targeting culturally and linguistically diverse communities.[1]Agencies can also display posters, brochures, and use websites (such as Seek Volunteer[2] or Go Volunteer[3]) and the Internet to advertise volunteer opportunities. The type of recruitment undertaken and identification of the most suitable form of advertising will depend on the type of relationship model existing between the agency and volunteers/volunteer group.

Advertising to recruit volunteers

Advertisements should conform with government advertising templates and should generally outline a role description, including the:

- type of volunteer work
- skills, knowledge or experience required
- time commitment and obligations involved, and other expectations
- application procedures
- contact details of the volunteer coordinator or appropriate contact person.

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[1] www.omi.wa.gov.au/omi_ethnicmedia.cfm
[2] http://volunteer.com.au/
[3] https://govolunteer.com.au/

Screening and Selection

The main aim of selection and screening processes is to identify volunteers whose backgrounds may indicate they are unsuitable or unsafe for the role. In addition, these processes assist in matching the expectations, interests, availability, commitment, and skills of volunteers with activities to be undertaken.

A range of selection and screening processes need to operate in the recruitment of volunteers including application forms, interviews, reference or character checks, police checks, and induction sessions. Using an array of selection and screening strategies is important in not only ensuring the appropriateness of the volunteer, but also in ensuring suitability of needs and interests with the volunteering role.

Equal Opportunity

Whilst the *Equal Opportunity Act 1984* only applies to paid employees by law, the fundamental principles of the legislation should guide agencies in the recruitment of volunteers. An organisation should aim to have its workforce mirror the diversity found in its customer profile because a better match in customer and workplace profiles can lead to improvements in services and service delivery. Similar consideration is required for volunteers.

Volunteers on Temporary Visas

Agencies considering the involvement of volunteers visiting Australia on Temporary Visas should consider obtaining advice from the **Department of Immigration and Border Protection** to ensure their eligibility to volunteer prior to engagement. Different classes of Temporary Visas may have different eligibility criteria to volunteer.

Police Checks

National police checks are widely used as a screening procedure prior to volunteer involvement particularly in areas where volunteers will be working with children or in positions of financial trust, or involving other vulnerable sections of the community such as people with disabilities or elderly people.

Best practice strongly recommends that the agency cover or subsidise the cost of the check for the volunteer. However, this is at the discretion of the agency and in some cases, volunteers may be required to obtain a national police check at their own expense.

- **National Police Certificates** can be obtained through participating Australia Post outlets for a fee of $63.50 (as at February 2014) and list the applicant's disclosable criminal history, recorded in any Australian police jurisdiction.
- Certain government departments are accredited with the federal agency **CrimTrac** to undertake their own criminal history checks for staff, and are currently undertaking or planning to undertake checks for volunteers working with the department through this system. CrimTrac charges departments a reduced fee to process volunteer checks.

National Police Checks for Volunteers Program

The **National Police Check for Volunteers Program (NPCVP)** provides volunteer checks to organisations at a reduced fee of $15.10 per check (as at February 2014). The program accommodates any organisation involving volunteers, including incorporated volunteer-involving organisations, state government, local government authorities, and private sector organisations. The NPCVP is a partnership between the Department of Local Government and Communities and WA Police. Where a volunteer-involving organisation shows proof that a volunteer has also applied for a Working with Children Check, the fee for the National Police Check is waived.

Working with Children Checks

The *Working with Children (Criminal Record Checking) Act 2004* introduces compulsory criminal record checking for certain people working and volunteering with children. The law requires volunteers working with children to have a **Working with Children Check (WWCC)** at a cost of $10.50 per check for volunteers. Agencies should consider covering or subsidising the fee for volunteers but this is not a requirement of the legislation.

The WWCC assesses all national convictions and some pending and non-conviction charges in terms of their relevance only for child-related work. Volunteers working with children may also perform other duties where factors other than the safety and best interests of children may need consideration. These volunteers may need to have a National Police Check in addition to the WWCC. Such instances include volunteers driving buses, working with the aged or people with disabilities, and managing money. For volunteer- involving organisations participating in NPCVP, where proof of a WWCC application is provided for volunteers engaged with them, the fee will be waived for those individuals.

The principles of procedural fairness, confidentiality and privacy should be maintained throughout the associated processes in handling, recording and storing an individual volunteer's personal information.

Interviews

Interviews are a useful strategy in the selection, screening and suitable placement of volunteers. In an interview, an agency can inform prospective volunteers about how they fit into the organisational structure and assist in delivering the agency functions. The interview process may include assessment of character references, work experience, or qualifications of the volunteer. Agencies can use an interview process to establish the expectations of volunteers and to clarify any issues that may arise. It also provides the volunteer with the opportunity to assess whether the volunteering role is a good fit for them. An informal approach to undertaking an interview process may be suitable.

Whilst an interview process is a useful way to carry out screening and selection of volunteers, it in no way implies an employee relationship. Unsuccessful volunteer applicants would not have access to breach rights as regards selection processes under the *Public Sector Management Act 1994*, unless the situation breached legislation such as the *Equal Opportunity Act 1984*. If an interviewee felt unfairly discriminated against selection for a volunteer role based on factors such as race, gender, or religion they may present a case to the **Equal Opportunity Commission**.

Probation

Agencies may want to engage volunteers on a probationary basis. This could coincide with the process of training and induction to the agency with clear communication of objectives, roles, and functions. A term of probation could also provide a set timeframe for volunteers to understand their role and reassess their commitment. When volunteers have completed their probation period, agencies should clearly communicate and recognise their change in status.

Accountability

Volunteers participating in the work of public sector agencies are accountable for their actions and are generally expected to observe the same protocols as paid staff in relation to ethical, legislative (such as the *Equal Opportunity Act 1984*) and policy issues. These accountabilities require clear communication and documentation. Agencies can reinforce this concept through signed agreements, memoranda of

understanding, volunteer charters, and codes of conduct documenting the rights and responsibilities of both parties. Volunteers should have easy access to all these documents.

Codes of Conduct

Agencies should consider developing a Code of Conduct specific to their volunteers. The Code should outline expected values and behaviours in the partnership including equal opportunity principles to prevent discrimination, harassment and to enable grievance resolution. A Code of Conduct should also define the responsibility for government assets including any government money handled by volunteers. Section 49 of the *Financial Management Act 2006* places responsibility for meeting the costs of replacement or repair of government property that is lost or damaged (due to misconduct or negligence) on the officer charged with custody of the property. The Code of Conduct can make clear that a volunteer bears the same responsibility as other officers for assets in their custody. The inclusion of an agency's privacy and confidentiality expectations in a Code of Conduct is an important way to inform volunteers of their responsibilities and the implications of breaching agency policy. The **Public Sector Commission** has also published Standards in Human Resource Management and a Code of Ethics that agencies should refer to when developing their own Code relating to volunteers.

Privacy and Confidentiality

Volunteers may be exposed to confidential information relating to the operations of government agencies. The inappropriate disclosure of such confidential information can potentially expose the agency, the government, and the volunteer with implications ranging from embarrassment to legal liability.

Precautions agencies can take include:

- specific confidentiality or non-disclosure agreements
- specific conditions in a Volunteer Code of Conduct
- communicating the importance of maintaining confidentiality to the volunteer
- limiting potential exposure to confidential or sensitive information
- limiting contact with the media by providing a media liaison officer to refer queries to.

Agencies should also take care to respect the personal privacy rights of volunteers.

Conflicts of Interest

Situations may arise where volunteers can access or influence information that is of commercial or financial benefit to themselves, their families or other contacts, or which may have negative impacts on them. Agencies should assess the potential for such conflicts of interest to arise. In an instance where conflict is likely, details of potential issues require clear documentation and measures put in place to manage the risk. For example, confidentiality agreements between the agency and the volunteer, as well as clear processes for volunteers to declare potential conflicts to the agency will minimise risks. Alternatively, agencies may decide not to place volunteers in situations that may compromise their interests.

3.   The Partnership in Practice

Once the partnership is established, it is important for both parties to actively maintain and foster it. Effective management of the partnership in practice is critical to an ongoing and mutually beneficial relationship. This section provides an overview of good practice volunteer management strategies for public sector agencies working with volunteers.

Communication of the Partnership

During the development phase of the partnership, the reasons for engagement need definition and joint agreement. It is important to continue communicating these overarching factors and highlighting the benefits of the partnership to all stakeholders.

Within the agency, this includes senior management, employees, and volunteers. External stakeholders include clients of the agency's work and the broader community. Agencies should develop and implement a communication strategy highlighting and recognising the direct contribution of volunteers to the work of the agency, as well as the broader impact of their involvement in building the strength and capacity of the community. Understanding the reasons for the volunteer partnership and its contribution to the work of the agency will engender an environment of integration, trust, and support.

Senior management support of the partnership is fundamental in positioning and ensuring appropriate resourcing of the partnership and of volunteer management within the agency. Further, it is important in supporting and promoting the value of the partnership to the organisation, to volunteers and to external stakeholders.

The Relationship between Employees and Volunteers

To foster a good relationship between employees and volunteers in the workplace, it is important to communicate the different ways in which the work of each party contributes to the functions of the agency. Highlighting the role of volunteering in building the capacity of individuals and communities as an additional outcome is important in understanding the broader contribution of volunteer involvement.

It is important for employees to understand that volunteers supplement their work at the agency and are not involved to displace them. This is an essential element in fostering a relationship of mutual respect and confidence between employees and volunteers.

Agencies should encourage interaction between volunteers and paid staff, through the work environment and social opportunities.

Orientation and Induction

Orientation strategies are two-way processes that enable the agency to define roles, behaviours, and expectations of the volunteer and to allow the volunteer the opportunity to ensure the role meets their needs and interests. The aim of orientation is to inform volunteers of their role in the delivery of the agency's services. Volunteers should receive formal induction into the workings of the agency to:

- gain an understanding of the agency 's mission, objectives, policies and services
- understand how volunteer activities will contribute to the agency
- understand lines of authority and management within the organisation and pertaining to their role
- learn about the facilities provided in their work environments
- understand entitlements (if any) to reimbursement of expenses
- understand reporting mechanisms and protocols
- be aware of individual responsibilities and accountabilities.

Volunteers should receive induction training with regard to the agency's risk management policy and procedures. For example, sound reporting procedures are crucial to maintaining high standards of occupational safety and health, and they assist the agency to manage potential risk exposures and insurance issues.

In addition to understanding lines of management and accountability, volunteers also need to know about lines of communication to raise concerns or to source information. Volunteers have the right to confidential sources of advice, information, and counselling. If volunteers are aware of and encouraged to use these lines of communication, they are less likely to become alienated from the rest of the agency and will be able to raise issues that are addressed early and in line with agency protocols.

Supervision and Coordination

It is strongly recommended that a paid staff member with appropriate management skills be allocated time to manage the partnership and coordinate volunteer activities within the agency. Appointment of a dedicated volunteer coordinator demonstrates the value of the partnership to the agency. Support, training and resourcing of this role further shows the commitment of the agency to effective management of the partnership and its

recognition of the important contribution of volunteers. It creates a central reference point for volunteer issues within the agency for staff and streamlines information flows and processes for the involvement of prospective volunteers.

Volunteers Coordinating other Volunteers

Experienced volunteers may be involved in coordinating the activities of other volunteers. Agencies need to ensure this arrangement does not negatively affect any of the involved parties. This means clearly identifying the reasons for creating such an arrangement to both volunteers and paid staff. Agencies need to ensure volunteers involved in coordinating and managing other volunteers receive support through adequate resources, training, and support so they can fulfil the duties expected of them.

Consultation

Reflecting the shift to a partnership approach, volunteers or representative bodies are increasingly being involved in strategic and operational level decisions regarding volunteer involvement in public sector agencies.

Internally, volunteers or volunteer groups should be consulted about the implementation, ongoing development, and management of the partnership. Additionally, volunteers should be consulted when organisational changes are planned and are likely to impact on their activities.

Agencies may also consider consulting with external representatives or peak bodies on a variety of volunteering issues, including partnership management.

Decision Making and Coordination

Agencies should consider developing internal structures for decision making concerning the volunteer partnership. The structure would assist in deploying agency policy on volunteering, as well as improve two-way coordination and information sharing in agencies with a number of volunteer programs.

Training and Skills Accreditation

Volunteers may require specialised skills or knowledge to perform volunteer activities. In these instances, volunteers will require skill development and training, either informally

through mentoring or on the job training, or formally through accredited training. From a risk management perspective, agencies should ensure all volunteers and volunteer managers are appropriately trained so they can perform their duties effectively without creating risks to themselves or to others.

Skills recognition is a process that acknowledges abilities already held by volunteers and maps them to a qualification. Providing training and offering standard certificates through the skills recognition process are ways that agencies and volunteers can work together in a mutually beneficial way. For many volunteers, training can be an opportunity to enhance existing skills, gain practical experience, and improve capacity to gain paid employment. Others may wish to use existing skills and may not want or need further training beyond initial induction. Volunteers can apply for certification of their skills through a 'Recognition of Prior Learning' assessment.

Factors to consider are:

- type and level of training required, both for initial and ongoing training
- resources required to fund and support effective training
- identifying the most effective and efficient methods of providing training
- alternative methods of meeting training costs
- adapting the program depending on the diversity of groups represented.

Other providers of formal and informal training for volunteers include **Volunteering WA** and **Volunteer Resource Centres** located throughout the state.

Volunteer Motivations

Agencies should examine what motivates individual volunteers to participate in the partnership. An agency may wish to survey existing volunteers to ascertain motivations. Where a new program is being established, conducting a focus group may be useful, as would be talking to local Volunteer Resource Centres who are expert at matching volunteers to positions. Identifying individual motivators can assist in tailoring management strategies to provide relevant support, training, and activities to meet volunteer interests and needs. Armed with a better understanding of individual drivers, agencies can better match volunteers with roles and target recruitment, placement and enhance retention. Taking the time to investigate motivations can save a lot of time for agencies by getting the right person for the role.

Workplace Resourcing

Successful volunteer partnerships require sufficient funding and resourcing of the volunteer activity and the partnership management. Agencies should undertake a cost-benefit analysis of economic and social outcomes prior to commencing the partnership. Weighing the costs and benefits of using volunteers may require separate recording and analysis of expenditure associated with the use of volunteers, together with evaluation of the benefits - both tangible and intangible - for the agency, the volunteer and the community.

Resourcing of Volunteer Activities

One of the key issues in consolidating the partnership between agencies and volunteers is the need to provide sufficient resources for volunteering activities.

Volunteers need the necessary resources to accomplish their tasks, which may include:

- office or work space and/or appropriate premises
- access to communication tools including telephones, the Internet, and email
- access to furniture, equipment, stationery and other materials
- safety and protective clothing and/or equipment e.g. safety glasses, gloves, helmets etc.
- access to motor vehicles
- appropriate training
- trauma counselling services offered to paid staff
- insurance cover while undertaking their volunteering roles.

Government agencies managing volunteers need to be aware of their obligations with respect to the *Financial Management Act 2006*, which provides for the administration and audit of public finances, including what is and is not acceptable expenditure of public monies on volunteer partnerships and the proper use of and accountability for public assets.

Reimbursement of Expenses

Agencies should provide all equipment and resources needed for the volunteer to undertake their role effectively. Where this is not possible, convention strongly supports the reimbursement of out-of-pocket expenses incurred by volunteers. Policy in this regard is at an agency's discretion. The policy must be clearly communicated to potential volunteers in advance, and should be included in any formally documented

agreements. Agencies should define their policy on reimbursing expenses incurred by volunteers, including but not limited to:

- travel and parking costs
- childcare costs
- motor vehicle mileage or fuel allowance, when volunteers use private cars
- administrative costs associated with volunteer representative groups
- training costs
- uniform costs
- volunteering related phone calls
- other incidental out-of-pocket expenses of individual volunteers.

Where agencies endorse/support reimbursement of expenses, current rates for employees should provide a guide to appropriate levels and rates of reimbursement. Volunteers should provide receipts to enable payment and accountability of reimbursements, as per protocols for reimbursement of expenses for employees. Rates should be consistent across individual volunteer programs within an agency.

Agencies need to be careful in ensuring that any reimbursement paid or reward given does not impute or imply an employer/employee relationship to volunteer arrangements as this may have implications for future workers' compensation, taxation or other claims. Excessive reimbursements can lead to a blurring of the distinction between volunteers and paid employees and could be regarded as evidence of a contract of employment. This eventuality presents a number of problems for agencies, particularly in relation to worker's compensation and occupational safety, health, and welfare considerations. In these situations, paid employees receive certain entitlements that are not applicable to volunteers. However, agencies should note that the **Commonwealth Model Work Health and Safety legislation** is currently under consideration and that it proposes to include volunteers in the definition of 'worker'.

Resourcing of Volunteer Management

Effective government-volunteer partnerships require ongoing management of the partnership and of volunteer involvement by the agency. The agency should dedicate a specific role and allocated time, as well as financial resourcing, to the management of the partnership and volunteer activities.

Resourcing of Volunteer Groups

Incorporated volunteer groups operating within government programs usually require funding additional to that provided by the agency with which they work to operate. Resources are sought through a number of avenues including funding and grants, fundraising and sponsorship. This can have implications for public sector agencies that should develop policies around such activities and potential conflicts of interests. Particular issues may arise when funding secured by volunteer groups is then used to fund agency activities.

Fundraising

Volunteers often take part, either individually or in groups, in fundraising activities associated with their voluntary work or related to special interests. Fundraising in this context refers to volunteers engaging in activities with the purpose of raising money for the benefit of their contribution to the public sector agency.

Agencies should clearly establish policy, in conjunction with volunteers, about how to conduct fundraising and the accountability procedures involved. Roles, responsibilities, and accountabilities require a clear understanding and documentation to manage any legal and liability issues that may result.

Sponsorship

Agencies considering seeking sponsorship to fund volunteer activities, should consult the State Supply Commission's **Sponsorship in Government Guidelines**. This document is only relevant to situations where the agency is considering securing sponsorship and not situations where volunteers are pursuing their own sponsorship initiatives. Many agencies have already established their own agency-specific policies for sponsorship but an agency's sponsorship proposal relating to volunteers will need to comply with the guidelines.

In some instances, volunteer groups that work in partnership with a public sector agency may seek sponsorship for their program. The agency should have a clear policy on its position in these situations. For example, sponsors may secure naming or branding rights in return for their funding which may become associated with the agency through the partnership with the volunteer program.

Funding

Volunteer groups may seek additional funding from other government agency grant and funding programs (federal, state and/or local), corporate organisations or through other

sources. Potential issues include administration of funding by the public sector agency or situations whereby funding is provided from the volunteer group to the agency to deliver projects or services. These situations need careful management and agencies should plan for such contingencies with increasingly complex scenarios continually evolving.

Identification

Identifying volunteers distinguishes them as unique in their role and in their contribution to the agency. This has positive benefits for volunteers, employees, and members of the public with whom volunteers may have contact. Agencies should consider clearly identifying volunteers and distinguishing them from paid employees. Identification is also important in communicating and delineating volunteers within and outside the agency. Clear identification can assist members of the public to understand the volunteers' role on behalf of the agency. Internally, identification can enhance working relationships.

Recognition

Many thousands of volunteers contribute to the work of public sector agencies in a range of different ways and in a variety of different fields. Indeed, the delivery of many government services relies heavily on the commitment and contribution of volunteers.

While volunteers do not participate for the purpose of remuneration, reward, or recognition, it is important to acknowledge and thank volunteers. Recognising and celebrating volunteers supports ongoing participation and promotes volunteering in the community.

It is also important to recognise the support provided by families and employers of volunteers to enable them to participate in their volunteering, e.g. emergency services volunteers. Self-employed volunteers also need equal recognition. Gratitude of employers and self-employed volunteers may be in the form of certificates of appreciation, BBQs or picnics, or there may be other ways to recognise their contribution to the community.

Similarly, while volunteer managers within the agency are paid employees, their contribution to the partnership and the volunteer program also needs acknowledgement and recognition.

Volunteer Rostering and Availability

The agency needs to ensure that volunteers have a clear understanding of their commitment to the role. Negotiation of time commitments and suitable hours should occur early in the engagement process. The agency has a responsibility to provide advance notice of expected involvement through systems such as rostering. In return, volunteers should give notice of times they will be unavailable to participate in rostered volunteer activities.

In the case of volunteers returning from extended periods of absence, refresher training or reorientation may be appropriate, particularly if agency procedures or current practice and knowledge in particular work areas have changed during their absence. It may be useful for agencies to set up a 'pool' of occasional volunteers who can be called to fill in when other volunteers are either unwell or on leave. This measure ensures that service delivery continues smoothly.

Managing Volunteer Contribution

CEOs should recognise that involving volunteers comes with a degree of accountability for the agency and for staff managing volunteer activities. Agencies should reassess the extent to which volunteers are accomplishing the required tasks, whether these tasks might be more appropriate for paid staff to perform and whether the agency is providing appropriate resources to the volunteer partnership.

Feedback Processes

A two-way feedback process is an important element of managing the implementation of a government- volunteer partnership. Feedback sessions provide an opportunity for the agency to acknowledge and provide input to volunteer performance. It also provides the volunteer with an opportunity to offer feedback about their volunteering and what might help improve their experience.

Providing volunteers with regular feedback on their performance is particularly important because of the different motivations of individual volunteers and the fact that they do not receive financial compensation. Feedback processes for volunteers can range from the use of a formal appraisal system used for paid staff, through periodic 'spot checks' and evaluations, to peer or client-based assessment models. Volunteers are more likely to favour an informal approach to evaluations and providing feedback, as long as it occurs regularly.

Cessation of Volunteer involvement

Feedback processes can include discussing remedial action if a volunteer's performance is not satisfactory. Internal agency volunteer representative groups or associations operating with agencies should be involved in developing and applying ways of evaluating volunteer performance, applying management procedures and consideration of non-voluntary cessation of volunteer involvement.

It is important to address issues that may lead to potential risks and conflict early. However, in situations where conflict cannot be resolved or performance cannot be improved to an acceptable level, the agency may consider various sanctions including ending the volunteer partnership. In situations where volunteers no longer wish to continue their involvement with the agency, they should provide advance notification where possible.

Conducting exit surveys with volunteers leaving the agency ascertains their experience of involvement with the agency. The survey assists in identifying aspects of proper management, and factors that need improvement in the future.

Agencies should consider developing a process for managing situations where volunteers are not satisfied with the feedback or cessation processes. Any performance issues should be managed in conjunction with the agency's human resource section.

Agencies should be aware that the **Ombudsman** could investigate complaints from volunteers about the actions and conduct of the organisation and staff that affect them personally.

Monitoring, Evaluation and Reporting

To operationally manage and monitor volunteer programs effectively, data collection systems capturing items such as application form particulars, roster details, expenses incurred and claimed, activities undertaken, leave arrangements and training undertaken are necessary. A volunteer statistical program such as **Volunteer Information Records Administrator (VIRA)** or similar programs may be useful in this regard.

Evaluation is increasingly important with the trend for public sector organisations to report on triple bottom line outcomes and to foster sustainability. Reporting, both formal and informal, is important in profiling, valuing, and highlighting the benefits of the partnership. Agencies should strongly consider profiling their volunteer partnerships in annual reports. The partnership could also feature through core communication channels of the agency including websites, newsletters, reports, and other products.

These gestures show a clear commitment (both internally and externally) to supporting volunteering by demonstrating the value of volunteers within the agency.

Evaluation and reporting provide an indication of the effectiveness of the partnership. This includes the contribution volunteers make to an agency, benefits to the individual volunteer, the delivery of public services and contribution to broader community wellbeing.

This can be used as an evidence base for maintaining and/or increasing support (including funding) for the partnership. Data obtained through evaluation processes provides an accurate profile of volunteers and can inform the way an agency recruits, motivates, manages and retains its volunteers to meet its objectives.

Key elements that require reporting are:

- A description of the government-volunteer partnership including the nature of the partnership.
- Data and statistics such as numbers of volunteers, hours volunteered, activities undertaken and measures of how volunteers contribute to the agency 's delivery of services, outputs and outcomes. Where possible, this information should be collected in a form that can be broken down by age, gender, location, length of time volunteering, activities undertaken, amount of time volunteered, expenses incurred and claimed.
- Descriptive information, including issues such as the value of volunteer involvement (to both the agency and to the volunteer), reasons why people volunteer, social benefits to the individual volunteers, employees, organisational achievements, delivery of services, outputs and outcomes.
- Measurement of the economic and social value of the above data, where possible. Economic measures include agency expenditure on volunteering and financial value of volunteer contribution to the agency and the community. Social measures include networks created, individual connectedness, community capacity development, and social capital (indicative of levels of trust and reciprocity).

It is important to communicate evaluation outcomes to volunteers, volunteer organisations, employees, senior management, clients of the agency and the broader community.

Though the **Public Sector Commission's Public Sector Reviews and Evaluations** policy is archived, agencies may still find guidance from the document. Agencies with significant volunteer programs may consider contracting out the evaluation component.

Further information on evaluation strategies and methods are available from the **Australasian Evaluation Society**.

4.   The Partnership Framework

This section provides an overview of the legislative and policy frameworks relevant to government-volunteer partnerships. It outlines issues including insurance, risk management, occupational safety and health, privacy, intellectual property, equal opportunity and union considerations. While this document provides a framework for these issues, any legislative provisions, where they exist, take precedence over these guidelines.

Legislative Framework

A range of legislation exists that relates directly and indirectly to volunteer involvement in public sector agencies. Where agency-specific legislation governs the involvement of volunteers by an agency, these provisions will have precedence. Further information is available at the **State Law Publisher** website.

Volunteers and Food and Other Donors (Protection from Liability) Act 2002

The *Volunteers and Food and Other Donors (Protection from Liability) Act 2002* protects certain volunteers from incurring civil liability if they are doing community work on a voluntary basis and transfers that liability to the community organisation or government agency that organised the work done by the volunteer. The legislation protects volunteers if they are:

- doing community work for a state government agency, local government authority or an incorporated association as a volunteer
- acting in good faith.

Although the Act provides qualified protection from civil liability for volunteers, it does not remove the potential for liability of the agency that the volunteer is working with.

Other Relevant Legislation

The following list provides a general outline of state legislation that also affects volunteers. However, it is wise for individual agencies to check if any further agency-specific legislation exists which may affect their operations. The *Civil Liability Act 2002* aims to improve certainty and predictability in the insurance system and reflect

changing social and legal attitudes towards the assumption of risk. The Act aims to contain escalating insurance costs related to volunteer involvement.

The Act also codifies certain common law rules of negligence in relation to foreseeability, standard of care, causation, and contributory negligence; such that a risk must now be significant before viewing a person as liable for not taking precautions to prevent harm occurring. An objective is to impact positively on volunteer involvement in terms of insurance costs and risk management issues.

The Insurance Commission of Western Australia (Amendment) Bill 2002 created the Community Insurance Fund, which enables government to provide insurance cover to eligible community organisations not able to access appropriate insurance through the commercial sector. This piece of legislation is relevant to public sector agencies that work in partnership with and/or fund incorporated volunteer organisations.

The *Fire and Emergency Services Authority of Western Australia Act 1998* applies to the Department of Fire and Emergency Services (DFES) volunteers and provides protection from civil liability to emergency services volunteers and their organisations.

The *Bush Fires Act 1954* also applies to fire fighters and may provide compensation for volunteers injured in the course of their duties.

The *Emergency Management Act 2005* provides further protection for emergency services volunteers.

The *Dangerous Goods Safety Act 2004* protects volunteers handling dangerous goods from liability if they acted in good faith.

The *Sentence Administration Act 2003* concerns volunteers with the Department of the Attorney General and the Department of Corrective Services. The *Workers Compensation and Injury Management Act 1981*, which does not normally apply to volunteers because they do not meet the requirements of the term 'worker' as defined in the Act, may cover volunteers with these agencies. It is not possible to provide a standard ruling on this issue as each claim is assessed individually.

The *Working with Children (Criminal Record Checking) Act 2004* introduces compulsory criminal record checks for certain people working and volunteering with children in Western Australia.

The *Associations Incorporation Act 1987* provides for the incorporation of associations in Western Australia and the regulation of their operations. This applies to public sector

agencies working in partnership with incorporated associations or groups considering incorporation.

Commonwealth Legislation

The purpose of the *Commonwealth Volunteers Protection Act 2003* is to remove the civil liability of volunteers performing work in good faith for the Commonwealth; or for a Commonwealth authority to pay compensation to third parties where they may have caused personal injury, property damage, or financial loss.

Commonwealth legislation complements the Western Australian legislation but has no direct impact on Western Australian state government public sector agencies, which are subject to state legislation in this area.

The Commonwealth and each state and territory government have agreed to harmonise their work health and safety laws, including Regulations and Codes of Practice, so that they are similar in each jurisdiction. As a result, **Model Work Health and Safety legislation** is currently under consideration. The legislation proposes to include volunteers in the definition of a 'worker', which will have implications for organisations in Western Australia as well.

Risk Management and Insurance Considerations

Insurance is a form of risk transfer, which in itself is not sufficient to cater for all risk outcomes arising from the usage of volunteers. Consideration should therefore be given to how the risks associated with the agency's involvement of volunteers may influence the achievement of agency business objectives, volunteers themselves, clients and the general public.

Agencies should not rely on insurance alone to overcome risks, and should look to implement a systematic approach to identifying and managing key risk exposures. Risk management strategies should be integrated into orientation and induction training, information and training in occupational safety and health, manual handling, fire and evaluation procedures and other relevant organisational information.

Agencies need to familiarise themselves with their insurance policies before engaging volunteers, particularly specific cover requirements and/or exclusions. To ensure adequate cover provision, the structure and activities of an agency's volunteer program should be clearly explained to its insurance provider. For example, direct volunteer involvement may be covered by an agency's specific **RiskCover** policy, but may not be

covered under other models of volunteer involvement (e.g. where an agency funds a volunteer organisation). If particular activities are excluded from coverage, or other conditions apply - for example, some insurers may not cover people beyond a certain age - an agency will need to restructure its insurance arrangements or volunteer program to avoid exposing the government to unnecessary risk.

Typical insurance products involving volunteers include:

Personal Accident Insurance

The *Workers' Compensation and Injury Management Act 1981 (WA)* does not apply to volunteers because they do not meet the requirements of the term 'worker' as defined in the Act. Agencies should consider providing personal accident cover to volunteers through RiskCover or an insurer for bodily injury.

Personal Property Insurance

Agencies with property cover through RiskCover receive automatic cover for physical loss or damage to volunteers' personal property - excluding vehicles, money, and jewellery - caused by an insured event.

Public Liability and Professional Indemnity Insurance

For agencies with liability cover through RiskCover, Public Liability and Professional Indemnity cover is automatically provided for the personal liability of volunteers.

Motor Vehicle Insurance

No cover applies under RiskCover for loss, damage, or liability for volunteers' motor vehicles while being used for agency business. If cover is required, agencies must contact RiskCover or an insurer to arrange such cover.

Risk Management Tools

The document, **Running the Risk**, outlines a simple approach for implementing risk management.

Workers' Compensation

Volunteers are not covered under the *Workers' Compensation and Injury Management Act 1981* as they do not meet the requirements of the term 'worker'. However, agencies

should be aware that payments to volunteers might have implications concerning workers' compensation. In certain circumstances a person who is a volunteer can be considered as a worker as a matter of law for the purposes of the *Workers Compensation and Injury Management Act 1981*. This is because the definition of worker in the Act looks at the substance of the relationship between a person and their employer including whether any payments are made and labour or services provided. Agencies should seek further clarification from **WorkCover** or obtain legal advice regarding specific situations.

Occupational Safety and Health

Good practice goes beyond compliance with occupational safety and health (OSH) laws. Application of sound safety and health principles is encouraged in all activities that involve the services of volunteers. In addition, volunteers themselves are encouraged to ensure that their actions do not harm the safety and health of others, including other volunteers and paid employees.

Occupational safety and health (OSH) laws apply in Western Australia to protect people from work related injury and disease. Coverage of volunteers under the *Occupational Safety and Health Act 1984* is limited to situations where there is a connection with work (for gain or reward, not unpaid work). The occupational health and safety (OSH) laws provide protection to people who may be affected by activities associated with work. This is not limited to employees, but covers all people, including volunteers, who may be affected by the activities of those such as employers, employees and self-employed people who are involved with the work.

The major sections of the OSH Act that focus on providing protection to employees do not apply to volunteers as they do not meet the legislation's definition of an 'employee'. In particular, Section 19 (which details broad, wide-ranging duties of an employer to employees) is not relevant when considering volunteers. However, protection for volunteers in the workplace comes from other duties under the OSH Act.

In particular, under Section 21, employers, self-employed people, and employees have responsibilities to ensure their work activities do not harm other people, including volunteers at the workplace.

Section 21 of the Act does not specify the steps to undertake to protect volunteers. The duties are broad, but limited to "so far as practicable". This means reasonable measures must be undertaken which will depend on the circumstances of each case. Some volunteer activities are very closely related to the paid work activities and in such

situations, it would be reasonable and practicable for the employer to make sure the volunteer knows how to work safely, ensures the work areas under their control are safe, and ensures that their employee's work does not harm the volunteer. The level of risk associated with the volunteer activity will also influence the action required. For example, an employer using volunteers to fight fires will have to take greater precautions to ensure the safety of volunteers compared to an employer using a volunteer to do clerical work.

The Commonwealth and each state and territory government have agreed to harmonise their work health and safety laws, including Regulations and Codes of Practice, so that they are similar in each jurisdiction. As a result, **Model Work Health and Safety legislation** is currently under consideration. The legislation proposes to include volunteers in the definition of a 'worker', which will have implications for organisations in Western Australia as well.

If volunteers and paid staff work in the same organisation, they will be treated equally under the new legislation. Therefore, OSH training and other risk mitigating factors will need to be applied to volunteers as well as employees.

WorkSafe, a division of the Department of Commerce, is the state government agency responsible for the administration of work safety and health laws, including the Commonwealth legislation.

Privacy

The Western Australian public sector does not currently have any privacy legislation or an administrative privacy regime. On 28 March 2007 the *Information Privacy Bill 2007* was introduced to the WA Parliament, but it has not been enacted to date. Relevant Western Australian laws include:

- *Freedom of Information Act 1992*
- *Health Services (Conciliation and Review) Act 1995*
- *State Records Act 2000*
- *Spent Convictions Act 1988*
- *Surveillance Devices Act 1998*
- *Telecommunications (Interception) Western Australia Act 1996*

Federal privacy legislation exists but applies only to Commonwealth government agencies and certain large private sector organisations. It is recommended that until privacy legislation is established in WA, agencies should develop privacy policies based

on the **Information Privacy Principles (IPPs)** developed by the federal office of the Australian Information Commissioner.

Agencies are encouraged to develop policies regarding privacy, confidentiality, and information management issues. These policies and principles should also apply to volunteers involved with an organisation. Agencies have a responsibility to educate volunteers about the way personal information of clients is stored and managed in accordance with the IPPs.

Agencies also have a responsibility to protect the personal information of the volunteers in line with the IPPs. Given that volunteers are not employees in a legal sense, their personal information is not subject to the same conditions as paid staff. However, the collection, use, storage, and disclosure of volunteers' personal information collected by agencies should be subject to the same conditions and protections that apply to the personal information of any other member of the public.

Intellectual Property

Volunteers who perform voluntary work for government agencies are involved in a wide range of activities that could potentially involve the generation of intellectual property (IP). These activities can range from aiding in the generation of written material (whether for publication or internal use), artistic work, the collection, composition, and arrangement of data and research. The IP generated may be in the form of copyright material, patentable inventions, or other forms of IP rights.

Unless there is an agreement to the contrary, or unless the IP in question was copyright and created or published under the direction or control of a government agency, a volunteer who creates IP will be the owner of that IP. If volunteers develop IP that may be of operational or commercial value to a government agency, then the agency obtains an assignment or licence of IP that may be generated by the volunteer as a condition of the volunteer working for it. Government agencies should seek legal advice as to how to address these issues in a binding contract with volunteers.

In 2003, the **Government Intellectual Property Policy and Best Practice Guidelines** were published, and it is still a useful resource to consider.

Union Considerations

The involvement of volunteers in the work of public sector agencies is now a widespread practice in Western Australia. From a union perspective, agencies need to ensure that volunteers engage only in appropriate circumstances, and not to the detriment of an agency's paid staff. As mentioned previously, agencies should not engage volunteers to replace paid staff.

Many people participate in volunteering to enhance their knowledge, skills, and future job prospects. Agencies should acknowledge these motivations and provide appropriate training and support. While volunteering can enhance an individual's job prospects by demonstrating commitment to the community and applied work experience, agencies should be careful not to imply a prerequisite link to future paid employment opportunities within the agency.

Agencies should consult with relevant unions when developing, monitoring, and evaluating volunteering programs. Ongoing consultation provides an effective means of ensuring that unions are aware of volunteering program goals and this contributes to cooperation between all parties. Volunteers should not be used in an inappropriate manner during periods of industrial action.

Ombudsman

The **Ombudsman** is empowered to investigate administrative action by most public sector organisations and appointed staff. At present, there is no reference to volunteers in current legislation. However, agencies should recognise that where volunteers are doing jobs within the organisation, it might be a reasonable perception that they are working for the agency. In that context, the Ombudsman's authority could extend to the investigation of action involving volunteers within public sector agencies, and agencies should advise their volunteers about this possibility.

The Ombudsman also has the power to investigate complaints from volunteers about administrative actions of agencies that affect them personally.

Misconduct, Corruption, Crime

The **Corruption and Crime Commission (CCC)** accepts and has the power to investigate allegations of misconduct by Western Australian police officers and public

officers including officers employed in local government. Misconduct occurs if a public officer:

- acts corruptly or fails to act in the performance of the functions of his/her office or employment
- takes advantage of his/her office or employment to obtain a benefit or cause a detriment to another person
- whilst in his/her office or employment commits an offence punishable by 2 or more years' imprisonment
- engages in conduct that lacks honesty or impartiality whilst performing a public duty.

Under the *Corruption and Crime Commission Act 2003* (CCC Act), a person or body that constitutes a 'notifying authority' has an obligation to report suspected misconduct to the CCC. The CCC legislation covers the entire state public sector and applies to all public officers. Under the **Criminal Code**, public officers include any person who exercises authority under a written law and includes public service officers, police officers, local government councillors and employees. Public officers also include members of corporations, authorities, committees, commissions, councils and boards established by a written law, even if unpaid for their services. Thus, voluntary members of any of these types of bodies are public officers, providing the body they belong to or work for be established by statute.

However, not all volunteers are public officers for the purposes of the CCC Act. The issues relating to the CCC's jurisdiction over volunteers involved in performing functions in conjunction with, or on behalf of, the state government and its agencies are complex and need consideration on a case-by-case basis.

Public Interest Disclosure

The *Public Interest Disclosure Act 2003* (PID Act) enables people to make disclosures about improper conduct within the state public sector, local government, and public universities without fear of reprisal. Reporting wrongdoing or 'whistle blowing' is a serious matter and in many cases it takes courage for people to come forward. In exchange for that courage, the PID Act provides protection against reprisals.

A disclosure must relate to a matter of public interest and tend to show that a public authority, public officer, or public sector contractor in performing a public function is, has been, or may in the future be involved in improper conduct. A disclosure is more than a general complaint about dissatisfaction with a product or service or a decision by

government and it is more than a personal grievance that can be resolved by agreement between parties.

Ethics and Integrity

The development of volunteer specific codes of conduct and ethics are important for obtaining long-term commitment to the values and behaviour expected of involvement with an agency. Agencies may consider developing principles, standards, and codes of ethics that apply to volunteer involvement in the public sector agency. These parameters should be communicated to (and understood by) volunteers and paid staff within the agency. Agencies may find the information on ethics for employees in the public sector agencies a useful guide in developing ethical guidelines and codes of behaviour specific to volunteers.

Disciplinary Action

The *Public Sector Management Act 1994* provides for a disciplinary process that enables public sector managers to enforce proper standards of conduct among public sector employees.

The Act does not refer to or apply to volunteers. However, guiding principles and procedures could extend to the management of volunteers.

Equal Opportunity

The *Equal Opportunity Act 1984* aims to promote equality of opportunity within Western Australia. It aims to eliminate discrimination and sexual and racial harassment against people in the workplace, within educational institutions and in the area of accommodation. While the legislation will usually apply only to paid employees, the fundamental principles of the legislation can guide agencies in the recruitment of volunteers.

Under the Act, the **Equal Opportunity Commission** has the capacity to investigate and conciliate complaints, including those made by volunteers, of unlawful discrimination and harassment. The Commissioner may dismiss a complaint if it is misconceived, vexatious, frivolous, or lacking in substance.

The Commission deals with complaints on a case-by-case basis. For more information, refer to the Equal Opportunity Commission's website at www.eoc.wa.gov.au or telephone the Commission on **(08) 9216 3900**.

Conclusion

These guidelines provide an overview to the framework for developing, managing and evaluating government- volunteer partnerships in Western Australian public sector agencies. Effective partnership management is integral to achieving positive and productive involvement of volunteers in government agencies, for the benefit of the community.

Further Information

Guidelines Content

The intention of this document is to guide public sector agency involvement in partnerships with volunteers and volunteer organisations. As new research, experience, and evidence emerge, the anticipation is for the content to evolve. In that context, comments on these guidelines are welcome to facilitate ongoing improvement. Agencies with new or additional information, or who require clarification of the issues raised in these guidelines, should address enquiries to the Department of Local Government and Communities - see contact details on the next page.

Other Public Sector Agencies

It is also important for agencies to recognise that there is a wealth of experience within the public sector about working in partnership with volunteers. Agencies and volunteer coordinators should seek to capitalise on this expertise by endeavouring to consult extensively with other agencies when developing volunteer policies. Through this consultation, agencies can potentially streamline and promote the processes of policy formulation by identifying the successes and failures of other agencies to determine those that apply effectively to their own situation.

The Department of Local Government and Communities is a central point of information that can provide reference to agencies experienced in the management of volunteers to facilitate this sharing of expertise.

Guidelines for Successful Partnerships between Public Sector Agencies and Volunteers (Fifth Edition - March 2014) are available for viewing and download from the Department of Local Government and Communities website: www.dlgc.wa.gov.au

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