

FACT SHEET

INFORMATION FOR VOLUNTEERS

The obligations, duties and rights contained in the Health and Safety at Work Act 2015 (HSWA) make it clear that everyone has a role to play in ensuring health and safety at work. This fact sheet explains how HSWA applies to volunteers.

VOLUNTEER ASSOCIATION OR PCBU

WHAT IS A PCBU?

A PCBU is a ‘person conducting a business or undertaking’. A PCBU may be an individual person or an organisation. A ‘business’ is a profit making entity, whereas an ‘undertaking’ may not be commercial in nature. HSWA places duties on all PCBUs (see below).

WHAT IS A VOLUNTEER ASSOCIATION?

A volunteer association is a group of volunteers working together for a community purpose who do not employ any person under a contract of service. Purposes could include the promotion of art, culture, science, religion, education, medicine, or to support a charity, sport or recreation activity.

Volunteer associations do not have health and safety duties under HSWA, as they are not PCBUs.

Other volunteer organisations are recognised as PCBUs and have the same duties as other PCBUs

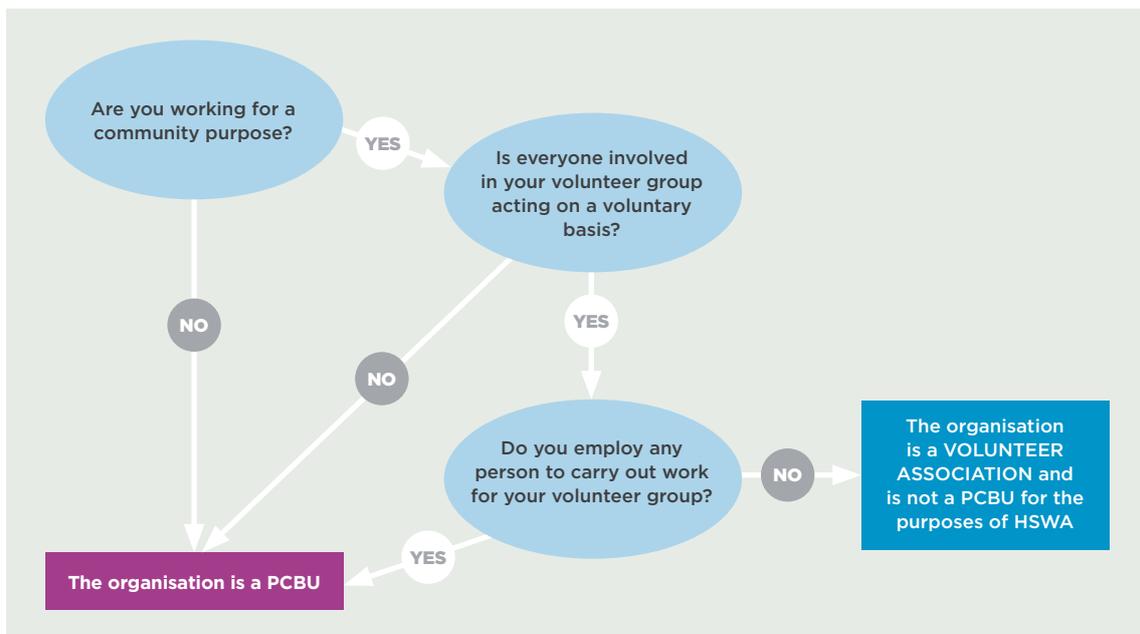


Figure 1: PCBU or volunteer association?

ARE YOU A VOLUNTEER?

You are a volunteer if you do work that you don't receive payment or reward for. You may be reimbursed for out-of-pocket expenses, for example you may be reimbursed for your petrol expenses if your volunteer work requires you to drive.

ARE YOU A VOLUNTEER WORKER FOR A PCBU?

Some volunteers are classified as volunteer workers and are treated as 'workers' under HSWA (except for worker engagement, participation and representation purposes).

You are a volunteer worker if:

- > you are doing work for a PCBU that has knowledge you are doing the work or has given consent for you to do the work
- > you work for the PCBU on an ongoing and regular basis
- > the work is an integral part of the business or undertaking
- > the work is not:
 - participating in fund raising
 - assisting with sports or recreation for an educational institute sports club or recreation club
 - assisting with activities for an educational institute outside its premises or
 - providing care for another person in the volunteers home.

WHAT IS REQUIRED OF THE PCBU YOU VOLUNTEER FOR?

A PCBU must ensure, so far as is reasonably practicable, ensure the health and safety of:

- > workers who work for the PCBU, while the workers are at work in the business or undertaking
- > workers whose activities in carrying out work are influenced or directed by the PCBU, while the workers are carrying out the work.

A PCBU must also ensure, so far as is reasonably practicable, that the health and safety of other people is not put at risk from work carried out as part of the business or undertaking. This duty is owed to volunteers who are not volunteer workers.

A PCBU must ensure, so far as is reasonably practicable, that volunteer workers have:

- > A work environment that is free from risks to health and safety. This can include risks of physical harm such as injuries and ill health and risks to your psychological health.
- > Safe equipment, structures and systems of work.
- > Safe use, handling, and storage of plant, substances and structures.
- > Adequate and accessible welfare facilities such as toilets, drinking water, washing and eating facilities.
- > The necessary information, training, instruction, or supervision to do the work safely. For example it may be necessary for you to receive an induction, personal protective equipment, emergency plans, support dealing with clients who may have challenging behaviours.
- > The monitoring of worker health (where relevant) and the exposures at the workplace, for the purpose of assessing the effectiveness of controls.

WHAT ARE YOUR RESPONSIBILITIES?

If you're a volunteer you must take reasonable care of your own safety and take care not to do anything which could harm another person. You should follow all reasonable safety instructions given to you by the PCBU, so that they can comply with their obligations under HSWA and its regulations (these are the duties of other persons at workplaces).

If you're a volunteer worker, you have the same health and safety duties as paid workers. In addition to the duties above you must also co-operate with any reasonable health and safety policy or procedure of the PCBU, as long as this has been notified to you.

Reasonable care means that you should do what a reasonable person would do in the same circumstances. This is for you to determine, however the following considerations may be helpful:

- > the skills and knowledge you have
- > what the risks and outcomes are
- > the resources you have available.

Some steps you can take include:

- > only doing tasks that have been assigned to you
- > only doing tasks that you have been trained to do or are familiar with
- > not doing tasks that you think are unsafe
- > reporting new hazards and risks to the PCBU
- > being familiar with the PCBU's health and safety policies and rules
- > providing feedback on health and safety issues
- > using any personal protection equipment that is provided, and storing and maintaining it as instructed
- > participating in health monitoring programmes.

CAN YOU BE PROSECUTED?

You could be prosecuted if you fail to meet a duty as a volunteer or volunteer worker.

WHAT ABOUT VOLUNTEER OFFICERS?

For information about volunteer officers, see the fact sheet *Information for officers who are volunteers*.

FURTHER INFORMATION

For information about what a PCBU's duty to volunteers is, see the fact sheet *Information for PCBUs that engage volunteers*.

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