



PR34 HR

Volunteer Policy

April 2021

cancercouncil.com.au

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1. Introduction

Cancer Council NSW (Cancer Council) recognises that its volunteers are one of its greatest assets. Volunteers assist the organisation to build its capacity to help achieve its vision of a cancer free future. Cancer Council is committed to providing volunteers with the best experience possible and in return has expectations of how volunteers should conduct themselves.

Volunteers provide services to Cancer Council without an expectation of financial compensation or any other material reward. Managers of volunteers must always remember that Cancer Council does not intend to create an employment relationship with any volunteer.

The key characteristics of a genuine volunteering arrangement include, but are not limited to:

- the parties did not intend to create a legally binding employment relationship
- the volunteer is under no obligation to attend the workplace or perform work, and
- the volunteer does not expect to be paid for their work.

2. Approach

Cancer Council is committed to ensuring that

- each volunteer has a clear understanding of the expectations and pre-employment checks required to perform a volunteer role
- each volunteer manager can support the needs of their volunteers
- there is a commitment to volunteer health and safety
- there is a commitment to treat all volunteers fairly and equitably
- good performance will be acknowledged, recognised and rewarded
- poor performance will be counselled and effectively managed
- the unique skills, knowledge and experience that Aboriginal and Torres Strait Islander people can contribute to the communities Cancer Council works with is recognised and valued, and
- Cancer Council volunteer program aims to support Aboriginal and Torres Strait Islander volunteers, throughout their volunteer journey.

3. Objectives

The objectives of this policy are to provide a consistent framework for Volunteering across the organisation. The intention is to focus on onboarding and management of volunteers.

4. Definitions

Volunteering means time willingly given for the common good and without financial gain.

A Volunteer at Cancer Council means a person who assists to carry out its business operations under the direction of a Cancer Council employee, without financial gain.

Volunteers include:

- **Regular volunteer** means a person who regularly performs a specific duty identified in the process of recruitment in an ongoing capacity
- **Episodic volunteer** means a person who supports a specific activity, task or piece of work on a short term basis (less than 3 months) or an irregular amount of time, e.g. support for a specific event or fulfilling a graphic design requirement
- **Corporate volunteer** means a person or group of persons who perform voluntary services for Cancer Council on behalf of their employer to contribute to their organisation's corporate social responsibility, and
- **Event day volunteer** is a person who volunteers their time for a specific event or activity, in most cases this will be for one day only e.g. Daffodil Day

Explanatory notes

1. **Without financial gain.** Volunteers may be reimbursed for out-of-pocket expenses; can be rewarded and recognised as part of good practice; may receive an honorarium, stipend, or similar payment as recognition for voluntary services or professional services voluntarily rendered, in accordance with Australian Taxation Office rulings.
2. **For the common good.** Volunteering should directly or indirectly benefit people outside the family or household or else benefit a cause, even though the person volunteering normally benefits as well.
3. **Peaceful activism** is now considered volunteering.
4. **Exclusions to volunteering definition:**

- a. Highly structured programs with fixed requirements. The programs may provide options of volunteering type activities; however, they have limited choice and/or varying types of built-in financial or reward outcomes e.g., compulsory educational service learning (where students are required to volunteer as part of a course); mandated court orders; internships; formal work experience and vocational placements; and mandatory government programs.
- b. Volunteering requires a donation of time. Other types of donating such as giving money or material are not considered volunteering.

5. The following are not volunteers:

- a. **Donor** means a person who contributes financially to the organisation. The act of providing financial support is not deemed to be an activity for the purposes of volunteering.
- b. **Community supporter** means supporters and fundraisers in the community who carry out activities to benefit Cancer Council outside the direction and control of the organisation e.g., fundraisers and event hosts, who support Cancer Council by raising funds but are not directed by Cancer Council about the manner of their fundraising activity¹.
- c. **Work placement/Intern** means a person involved in short-term, project-focused roles that engage people looking for practical experience associated with their studies or employment interests and who gains formal recognition through an academic institution for that experience e.g., a university student completing an internship who is required to complete a required number of hours' work for achievement of university credits. By definition, work placement students/interns are not 'volunteers. However, Cancer Council recognises their contribution of time and they are covered by Cancer Council's public liability and group personal accident insurance policies.
- c. **Pro bono contributor** means a person or organisation who is engaged by Cancer Council to provide a specific skill set or expertise for the purpose of enhancing the organisation's outcomes e.g. HR consultant, lawyer, financial planner.

¹ Cancer Council volunteers may also, of course, be donors and supporters.

5. Conditions of Volunteering

Background checks

Background checks (including criminal history checks and Working with Children checks) must be conducted for certain volunteer positions as set out below.

Existing volunteers will require a check (if not completed at commencement) when there has been a change in the business requirements relating to their position or if a person in an identified position discloses a change in their personal criminal history.

A refusal by an applicant to undergo any mandatory check will preclude them from being considered for the position. A refusal from an existing volunteer should be discussed with People & Communications and managed on a case-by-case basis. A continued refusal from an existing volunteer to undergo a check will preclude a volunteer from continuing to volunteer at Cancer Council.

Volunteers also have a duty to disclose criminal offences that occur after commencement of their position that may affect their eligibility to continue performing their role. Managers of volunteers should notify People & Communications immediately upon disclosure of a criminal offence.

Disclosure of a criminal offence will not automatically preclude a volunteer from continuing to work with Cancer Council. People & Communications will undertake a risk assessment procedure, in consultation with the volunteer's manager, to assess the individual's suitability with regard to the responsibilities of the position and the risk posed to Cancer Council and the community.

National Police Checks

Cancer Council will conduct a National Police Check for volunteers who provide unsupervised services or support to cancer patients, carers or their families and/or who provide practical support services. Some examples of these volunteer roles are:

- transport drivers and coordinators
- Cancer Connect roles (requiring direct patient contact)
- 13 11 20 volunteers
- in home Support volunteers
- Human Resources volunteers
- hospital-based volunteering roles i.e., Information Centres
- other practical support roles requiring patient contact, or

- patient recruitment and other relevant patient research roles.

Volunteers may commence volunteering prior to completion of a National Police Check with the continuation of their volunteering being subject to a satisfactory National Police Check. Volunteers must not work unsupervised until their manager has been notified by People & Communications that clearance has been granted.

Cancer Council may also conduct a National Police Check if there is another identified business reason why it may be required for the position, e.g., access to personal financial information.

If a National Police Check reveals a criminal record, a conviction will not automatically preclude applicants from working with Cancer Council. People & Communications will undertake a risk assessment procedure, in consultation with the volunteer's manager, to assess the individual's suitability with regard to the responsibilities of the position and the risk posed to Cancer Council and the community.

In undertaking this assessment, the following factors will be considered:

- the period of time since the applicant committed the offence
- the age of the applicant when the offence was committed
- the nature and gravity of the offence, and its relevance to the position applied for
- the mitigating circumstances involved around the conviction
- the pattern of offending and efforts to avoid re-offending, and
- whether the nature of the job presents any realistic opportunities for the applicant to re-offend in the course of volunteering.

Working with Children Checks

A Working with Children Check is required for roles where volunteers have the potential to work with children under the age of 18 in an unsupervised environment, in accordance with the *Child Protection (Working with Children) Act 2012 (NSW)*.

Cancer Council has also identified volunteer positions, programs and events requiring these checks including, but not limited to:

- RFL Committee Member, including Chair
- SunSmart
- Ambassadors
- Information Centre hospital-based roles
- community speakers, and

- palliative care

Where a position requires a Working with Children Check, it must be conducted prior to the commencement of volunteering. Where business requirements have changed and a check is now required, the check must be carried out as soon as practicable.

Prohibited Person Declarations

A Prohibited Persons Declaration is required for all positions. This is a declaration made by all people working or seeking work in child-related employment/volunteering that they are not a person prohibited by the relevant Act. People & Communications reviews all declarations and advises managers of disclosures so that an appropriate risk assessment can be carried out for prohibited candidates.

Each time a person starts volunteering with Cancer Council they must make a Prohibited Person's Declaration.

Mandatory training requirements

All volunteers (excluding Event Day and Corporate volunteers) are required to complete compliance training within a reasonable time after the commencement of their position. This includes training in relation to:

- Cancer Council's Code of Conduct
- workplace health and safety
- equal employment opportunity
- bullying and harassment
- fraud awareness
- privacy, and
- any other mandatory training required for the volunteer's role.

Volunteers who fail to comply with mandatory training requirements may not be permitted to continue in their volunteering role.

Work Health and Safety

The NSW *Work Health and Safety Act (2011)*, definition of a 'worker' includes volunteers, students and interns. Therefore, the WHS legislation applies equally to all of these workers.

The WHS legislation sets out rights and obligations for both Cancer Council and workers. Cancer Council must provide a safe working environment which includes, safe working conditions, training and resources to ensure the health and safety of workers.

The WHS law requires workers to:

- take care of themselves
- take care of other people
- comply with reasonable directions, and
- co-operate with managers and other workers when applying Cancer Council's policies and procedures.

Insurance coverage

Volunteers are covered by the following insurance policies:

- group personal accident insurance – for injuries suffered by a volunteer (age restrictions may apply, and coverage excludes medical expenses that are included in the list of Medicare fee codes, and gaps in amounts not reimbursed by Medicare rebates)
- public liability insurance – arising from accidents and negligence that cause injuries to other people or damage to property, while working as a Cancer Council volunteer
- comprehensive motor vehicle insurance for Cancer Council vehicles – covering damage to Cancer Council vehicles, other vehicles and other property, caused by the driver of a Cancer Council vehicle
- Compulsory Third Party (CTP 'Greenslip') insurance for drivers of Cancer Council vehicles – covering injuries to passengers in a Cancer Council vehicle and any other person, except the driver of the Cancer Council vehicle
- professional indemnity insurance, to the extent relevant to the volunteer's role, and
- business travel insurance – while a volunteer is travelling more than 50km on Cancer Council business.

Volunteers driving their own vehicles on Cancer Council business are not covered by Cancer Council's comprehensive motor vehicle insurance.

Volunteers are not covered by Cancer Council's workers' compensation insurance.

Overseas volunteers must arrange their own travel and health insurance. The manager requires evidence to be provided of these insurances prior to accepting an overseas volunteer.

Intellectual property

Cancer Council asserts ownership over all intellectual property created by volunteers in the course of performing work for Cancer Council. See the [Intellectual Property Policy](#) for more information.

6. Application and review

- 6.1 This Policy replaces all previous versions and will be reviewed on or before April 2024.
- 6.2 This Policy applies to all Cancer Council employees, including casual employees and contractors, and volunteers. Non-compliance may result in disciplinary action, including termination of employment. Whilst compliance with this Policy is required, it does not create or confer on any employee any entitlement, legal right or enforceable benefit.

7. References / related document

The Volunteer Policy is not a stand-alone policy but is written in parallel with and in acknowledgment of other Cancer Council policies and procedures. These supporting documents include but are not limited to:

- Code of Conduct
- Workplace Health and Safety
- Purchasing Policy
- Fraud Policy
- Bullying, Harassment and Discrimination Policy
- Social Media Policy
- Learning and Development Policy
- Intellectual Property Policy
- Travel Policy
- Volunteer Procedures