

Item: 14

Policy and Resources Committee: 19 February 2019.

Volunteering Policy.

Report by Executive Director of Corporate Services.

1. Purpose of Report

To consider an updated version of the Council's Volunteering Policy.

2. Recommendations

The Committee is invited to note:

2.1.

That the existing Volunteering Policy was adopted by Council in December 2016.

2.2.

That, during the summer of 2018, it became clear that the public in Orkney wished to undertake volunteering in areas which had not been considered as volunteering opportunities in the past.

2.3.

That, as these activities were not covered by the Council's existing Volunteering Policy, and there was a desire to support and encourage community volunteering, an officer group reviewed the Volunteering Policy and drafted some amendments to ensure that volunteering continues to be encouraged by the Council within the national legislative framework in these new areas.

It is recommended:

2.4.

That the revised Volunteering Policy, attached as Annex 1 to this report, be approved.

3. Revision of the Volunteering Policy

3.1.

The original Volunteering Policy, approved by Council in December 2016, required supervising managers to arrange for potential volunteers to sign a volunteer agreement with the Council, and the proposed revisions to the policy help both the public and Council managers in all relevant services to continue this important support for the volunteer. The volunteer agreement records that the signatory has

been accepted by Orkney Islands Council as a volunteer and confirms that the signatory understands that they are not employed by the Council and undertakes to comply with all requests and instructions of their supervising manager. Once a volunteer has been formally accepted, the supervising manager is responsible for carrying out a risk assessment and implementing any necessary risk management interventions. This meets the Council's necessary legal requirements to provide basic protection of the volunteer and to ensure that the volunteer is then covered by the Council's public liability insurance.

3.2.

During the summer of 2018, it became clear that the public in Orkney wanted to undertake volunteering in areas which had not been considered as volunteering opportunities in the past. As these activities were not covered by the Council's existing Volunteering Policy, an officer group reviewed the Volunteering Policy and drafted some amendments to ensure that volunteering by people in Orkney continues to be supported and encouraged.

3.3.

A new section 13 has been added to the policy setting out the steps to be followed by the appropriate Council manager should volunteers wish to undertake volunteering in these new areas where there is the potential that there may be some risks to the volunteer or to the public, within the health and safety legislative framework. A template for a volunteering agreement, and advice on risk assessment, are both included in the revised policy

3.4.

Other minor amendments include clarification of the duration of a volunteer agreement. This is not usually specified on the agreement, but volunteers will be contacted annually by the Council to ensure that they wish to remain a volunteer. The agreement may be terminated by the volunteer or the Council at any time.

3.5.

The revised Volunteering Policy is attached as Annex 1 to this report.

4. Equalities Impact

The Equality Impact Assessment associated with the Volunteering Policy has been updated and is attached as Annex 2 to this report.

5. Links to Council Plan

The proposals in this report support and contribute to improved outcomes for communities as outlined in the Council Plan strategic priority theme of Quality of Life.

6. Links to Local Outcomes Improvement Plan

The proposals in this report support and contribute to improved outcomes for communities as outlined in the Local Outcomes Improvement Plan priority of Strong Communities.

7. Financial Implications

The proposals in this report support volunteering and reduce the risk of a volunteer or third party suffering an uninsured loss, and / or the Council being found liable to pay compensation to a volunteer or third party for an uninsured loss.

8. Legal Aspects

8.1.

The proposals in this report support the implementation of the Council's statutory duties with regard to health and safety, and its duty of care to anyone volunteering on Council premises or property.

8.2.

The proposals in this report reduce the risk of the Council being exposed to legal action by a volunteer or third party seeking to recover an uninsured loss.

9. Contact Officers

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10. Annexes

Annex 1: Revised and updated Volunteering Policy version 2.0.

Annex 2: Equality Impact Assessment.



Volunteering Policy

Version 2.0

If you would like this policy in a different language or format, please contact the Strategy Manager, Orkney Islands Council, School Place, Kirkwall KW15 1NY. Telephone: 01856873535 extension 2160. Email: corporateservices@orkney.gov.uk

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1. Introduction

The definition of volunteering currently used by the Scottish Government is: 'Volunteering is the giving of time and energy through a third party, which can bring measurable benefits to the volunteer, individual beneficiaries, groups and organisations, communities, environment and society at large.'

Orkney Islands Council values the contribution made by volunteers to the fabric of the Orkney community. Volunteers have a vital role in adding value to many of the services provided by the Council, including social and community care, housing, community development, environmental improvement, economic development and job creation, education, advocacy and community engagement.

The Council encourages and supports volunteering, while recognising that the role of volunteers complements rather than replaces that of professional staff and others who are engaged in delivering services which the Council has a statutory duty to provide. To facilitate volunteering, the Council provides training and support for volunteers in public sector projects, makes provision for training and support in grants and contracts and promotes, supports and provides training for volunteers' managers where appropriate.

The Council also provides recognition, support and publicity to the work of Voluntary Action Orkney as the key co-ordination and development body for volunteering in Orkney, and as a recruitment centre for volunteers.

Volunteers formally working for the Council will be treated by the Council in the same way as 'employees' purely for the purposes of the Health and Safety at Work etc Act 1974 and regulations made thereunder. As such, the Council will comply with all relevant statutory requirements including the duty to assess and control risks. Such volunteers will be expected to operate within agreed guidelines and remits relating to their task and to follow health and safety regulations and instructions and attend training and support sessions where required.

The Volunteering Policy will be monitored to assess its effectiveness and to ensure that it is being applied consistently across the Council's services. The Council will seek to ensure that other Council policies which might impact upon volunteers are compatible with the Volunteering Policy.

The Council's original Volunteering Policy was approved and adopted by the Council on 13 December 2016, and the current version 2.0 was approved on 5 March 2019. The policy complements the Volunteering Policy for Schools which is maintained by Education, Leisure and Housing Services.

2. Scope of the Policy

This policy applies to:

- Activities that the Council promotes and controls, including:
- Unpaid duties which Council employees choose to undertake in their own time, outwith their normal service and place of work.

This policy does not apply to:

- Activities which the Council does not promote and control.
- Optional duties which Council employees agree to take on as an extension of their job.
- Small neighbourly activities voluntarily undertaken by an individual and not through a third party organisation.

3. Aims of the Policy

By adopting and implementing this policy, the Council aims to:

- Promote the importance, effectiveness and value of volunteering.
- Maximise the contribution of volunteers to the delivery of Council services.
- Identify more ways in which the Council's work can be enhanced by the involvement of volunteers.
- Increase the range and number of volunteering opportunities within the Council.
- Improve the quality of the volunteering experience throughout all areas of the Council's work.
- Clarify the role and responsibilities of volunteers.
- Clarify the role and responsibilities of the Council in relation to volunteering.
- Clarify the relationship between volunteers, those who use volunteers and those who directly receive the services of volunteers.
- Ensure that staff at all levels are clear about the role of volunteers.
- Foster good working relationships between staff and volunteers.
- Set standards of good practice in working with volunteers.
- Support and encourage Voluntary Action Orkney to organise and continuously improve the infrastructure for volunteering in Orkney.

4. Roles and Responsibilities

The role of volunteers is to provide support to Council staff and add value to Council services. Volunteers are not employees of the Council and they must never be required or expected to substitute for staff employed by the Council where the Council has a statutory duty to provide services.

Volunteers with the Council can expect:

- To be provided with appropriate identification.
- To be given clear information and induction.
- To be given well defined tasks and to be consulted on decisions that will affect what they do.
- To have access to information relevant to their role.
- To have clearly specified lines of support and supervision.
- To be trained and receive ongoing opportunities for learning and personal development.
- To have safe working conditions and to be insured. To be paid any reasonable, authorised out of pocket expenses.
- To be free from discrimination, harassment or bullying.
- To be valued and shown appreciation for their contribution on an ongoing basis.

The Council expects that volunteers will:

- Be honest and reliable.
- Respect confidentiality.
- Comply with relevant policies and procedures, including health and safety policies.
- Attend training and support sessions where agreed.
- Act in a way which corresponds to the aims and values of the authority.
- Carry out assigned tasks within agreed guidelines and limits.

The tasks, guidelines and limits for each volunteer will be set by the relevant service manager and agreed in writing with the volunteer as part of a formal Volunteer Agreement. An outline template for a Volunteer Agreement, which managers may adapt to their purposes as appropriate, is appended to this policy. Any agreement must include a clause making it clear that it is not intended to be a legally binding contract, or a contract of employment.

Should volunteers encounter any difficulties in the course of their duties, they should refer them to their supervising manager.

Council staff as volunteers.

The Council welcomes the services of its own staff as volunteers, provided the volunteer service:

- Is provided willingly and without any hint of coercion.
- Involves tasks which are clearly defined and not those which the Council has a statutory duty to provide.
- Is provided outside the employee's usual place of work and working hours.

Volunteering activity by staff will generally be for a different service to their own, or to support a special event, for example marshalling for the Commonwealth Games Baton Relay or the Jutland commemorations.

The Volunteer Agreement should be completed by council staff where they are working in a volunteer capacity. This applies also to teachers who are acting in the position of volunteer (rather than as a teacher) in order that pupils and parents do not expect them to undertake duties outwith those of a volunteer. Further information on volunteering in schools may be found in the Volunteering Policy for Schools issued by Education, Leisure and Housing Services.

Family members of staff are allowed to volunteer with the Council, but they will not normally be placed under the direct supervision or within the same service as family members employed by the Council.

Council staff may sometimes 'volunteer' for additional duties within their own service. This type of arrangement is considered to fall within their normal contracted duties, or is for further consideration by their manager, and is not therefore within the scope of this policy.

5. Recruitment and Referral

Prior to recruitment, service managers are advised to draw up a specification for the volunteer opportunities they wish to offer. Voluntary Action Orkney can provide a template for this purpose, which they require to be completed for any volunteer opportunities notified to VAO for recruitment. The specification should include any age restrictions, skills required, training provided, and whether the opportunity is suitable for those requiring wheelchair access or with additional support needs.

When a prospective volunteer offers their services via Voluntary Action Orkney, they will be invited to a first interview with VAO staff. The prospective volunteer will be issued with a registration pack. VAO staff will ask for the names of two referees and will request references.

VAO staff will offer the prospective volunteer advice about a possible appropriate placement. Where a volunteer has shown an interest in an OIC volunteering opportunity, VAO will contact the service manager at the OIC placement to arrange an interview. Voluntary Action Orkney will provide support to volunteers with additional support needs, where they have capacity to do so, or alternatively a volunteer with ASN may be able to bring their own support worker.

Volunteers who approach the Council directly will have an interview arranged by the relevant service manager, who is also responsible for checking the volunteer's qualifications and requesting references, where applicable.

Following the interview, if both the prospective volunteer and the service manager wish to proceed, details of the volunteer placement will be agreed. Service managers will notify OIC's HR and Performance Service directly. [Head teachers will notify the Education, Leisure and Housing Service, which will liaise with HR on their behalf.] HR will initiate the process of obtaining a Protecting Vulnerable Groups (PVG) scheme record or record update from Disclosure Scotland, if this is required for the volunteering placement.

Once clearance is received from HR, the service manager will arrange with the volunteer a start date and an appropriate induction programme, and draw up a Volunteer Agreement. For volunteers referred by VAO, the service manager will inform VAO of the outcome.

Occasionally, volunteer placements may involve the driving of Council vehicles. In this event, details of the task will be included in the Volunteer Agreement and the volunteer will be subject to the same requirements under the Council's Driving at Work policy as a regular employee. The service manager is responsible for ensuring that all necessary conditions of the Driving at Work policy are complied with before the volunteer drives any Council vehicles. Potential volunteers who lack the skills or qualifications for their preferred volunteering role may be offered advice on how to achieve the necessary credentials.

Volunteers must not use their own vehicles to transport school pupils or other service users, under any circumstances.

6. Protecting Vulnerable Groups

For volunteer placements that involve 'regulated work' (as defined in the Protection of Vulnerable Groups (Scotland) Act 2007) with children, young people or protected adults, it is essential for volunteers to obtain Protecting Vulnerable Groups (PVG) Scheme membership from Disclosure Scotland before volunteers can commence their duties. This process is initiated by Council's HR and Performance Service. The HR team will send out to the volunteer an appropriate Disclosure Scotland form and a covering letter of explanation. The volunteer will be asked to complete the form and return it to the HR team, along with any required forms of identification for verification. HR will be responsible for the cost of obtaining PVG Scheme membership. For volunteers already registered with the PVG Scheme, additional certification will be needed to cover a new volunteering role with a different protected group.

On receipt of satisfactory PVG confirmation, the HR team will notify the recruiting service manager who will, in turn, notify the volunteer and arrange a date to start the placement.

If the volunteer's PVG Scheme record raises issues of possible concern, the matter will be referred to the relevant service manager. The service manager will make a decision about the appointment and will inform the volunteer of the decision to either proceed with the placement or not. For volunteers referred via VAO, should the volunteer not be offered a placement the service manager will refer the volunteer back to VAO.

7. Induction

A suitable induction programme for each volunteer will be arranged by the relevant service manager, to be delivered as soon as the volunteer starts their placement.

All volunteers must be familiarised with:

- Their role and that of their supervisor.
- Relevant council policies and guidelines.
- The importance of confidentiality,
- Fire safety procedures in force at the location they are working in.
- Agreed procedures for dealing with an emergency.
- The location of first aid kits and the identity of first aid trained staff.
- Any other health, safety and hygiene requirements for their volunteering role.
- The Council's policy in respect of the use of IT equipment.

Additional induction requirements apply to volunteers working in schools, and head teachers should refer to the Volunteering Policy for Schools.

Should a volunteer require internet access, the service manager should seek advice from IT Support each time, to ensure compliance with current security arrangements.

8. Monitoring and Record-keeping

An up-to-date list of volunteers who are cleared for volunteering with children, young people and protected adults under the Protecting Vulnerable Groups (PVG) scheme must be held by the service manager or head teacher. Such lists should contain the age, sex, home address and contact details of volunteers and must be kept securely in compliance with data protection legislation.

Schools need to keep continuous records showing when and where individual volunteers were on duty, and should refer to the Volunteering Policy for Schools (July 2015) for further information.

On an annual basis, and by 31 December each year, a record of volunteers will need to be declared to the Orkney Islands Council Insurance Administrator in order that the Council's insurance policy can be updated.

9. Supervision

Staff must be conscious of the fact that volunteers are not professionally trained and may therefore require advice and support beyond that given to Council employees.

Volunteers must be briefed that they are, at all times, subject to the professional guidance of the Council's employed staff and should never be required to undertake work which requires to be undertaken by Council employees.

School volunteers may be asked along on school excursions, to ensure compliance with group supervision ratios, as recommended in the Education, Leisure and Housing Excursions Policy. Regardless of their PVG status, volunteers should never be left in sole charge of pupils.

10. Confidentiality

Confidentiality is essential to good relations between the Council and the community. Volunteers should be made aware of their legal duty to keep confidential any information which they encounter in the course of their volunteering activities.

Council staff should follow the guidelines below:

- Ensure volunteers are aware of their legal duty to keep all information confidential.
- Avoid including volunteers in any discussions relating to the achievement of individuals.
- Ensure that volunteers only have access to information needed to undertake their role.
- Follow the Council's Clear Desk Policy to ensure that information which is not in.

11. Risk, Health and Safety

For the purpose of managing risk, health and safety, volunteers should effectively be treated in the same manner as employees, and all employer duties within the Health and Safety at Work etc Act 1974 and regulations made thereunder will be deemed to

apply. Supervising managers must conduct risk assessments as for paid employees, and take action to mitigate any identified risks.

Volunteers will have personal responsibility for following health and safety regulations and instructions, operating within agreed guidelines and remits and attending training and support sessions where required.

Volunteers should be provided with full training for the duties which they are asked to perform, and are required to fulfil the same training requirements as that of an employee performing a comparable task. Any training should be recorded and the volunteer should abide by any Council rules regarding confidentiality, proof of qualifications, Protecting Vulnerable Groups (PVG) disclosure checks, etc.

The following control measures are recommended:

- In general, the same health and safety standards should be applied to volunteers as to employees exposed to the same risks. However, if your risk assessments identify that the risks to volunteers are different, the preventive and protective measures taken should reflect these different risks.
- Check relevant qualifications and carry out recruitment checks.
- Check drivers' licences and provide suitable training for minibuss drivers.
- Instruct all volunteers on the relevant rules and procedures of the workplace.
- Where Personal Protective Equipment (PPE) is required, this should be provided to volunteers as appropriate, and free of charge, by the Council.
- Work equipment provided for volunteers must be suitable for the task for which it is used and maintained in an efficient state.
- Volunteers need to be provided with adequate supervision, instruction and training to enable them to carry out their activities safely. Remember that volunteers may well have a lower level of expertise than employees. Accidents involving volunteers need to be recorded and reported in the same way as employees.
- Adequate first aid provision should be ensured.
- Ensure that where appropriate all volunteers sign in and out each day.
- Issue identity badges, where appropriate, indicating the name and role of the volunteer.

12. Insurance

All appointed volunteers will be covered by the Council's Public Liability insurance when working on agreed tasks in approved locations.

Informal volunteers (see section 13 below) will need to obtain their own public liability insurance. Single event insurance may be purchased via a local insurance broker, or online. If the informal volunteers are members of a charitable or community organisation, and / or the proposed activity benefits a charitable or community organisation, then the organisation may be willing to take responsibility for the activity. In this case the organisation may already have an annual insurance policy with an adequate level of public liability insurance, or may be able to increase their level for a lower cost than taking out a separate policy to cover a single event.

Whether or not volunteers are formally appointed, Orkney Islands Council is unable to accept responsibility for the loss, theft or damage of personal possessions or valuables.

13. Informal Volunteering

There will be occasions when people decide spontaneously to take action in the public domain, beyond neighbourly activities, without seeking prior authorisation from the relevant authority. There may be elements of risk to the individuals or public arising from the spontaneous activity. It is accepted that in such circumstances the Council has no means of managing or controlling such activity.

The Council appreciates that people will sometimes want to take positive action for the benefit of the community and encourages this provided that appropriate mechanisms are put in place to manage the health and safety of both the individual and the public. Where this activity takes place on Council land or premises, the Council has a statutory duty to ensure, so far as is reasonably practicable, that persons are not exposed by the activity to risks to their health or safety or that public safety is not compromised. This duty should be undertaken by the manager responsible for the land or premises on which the informal volunteer activity is taking place.

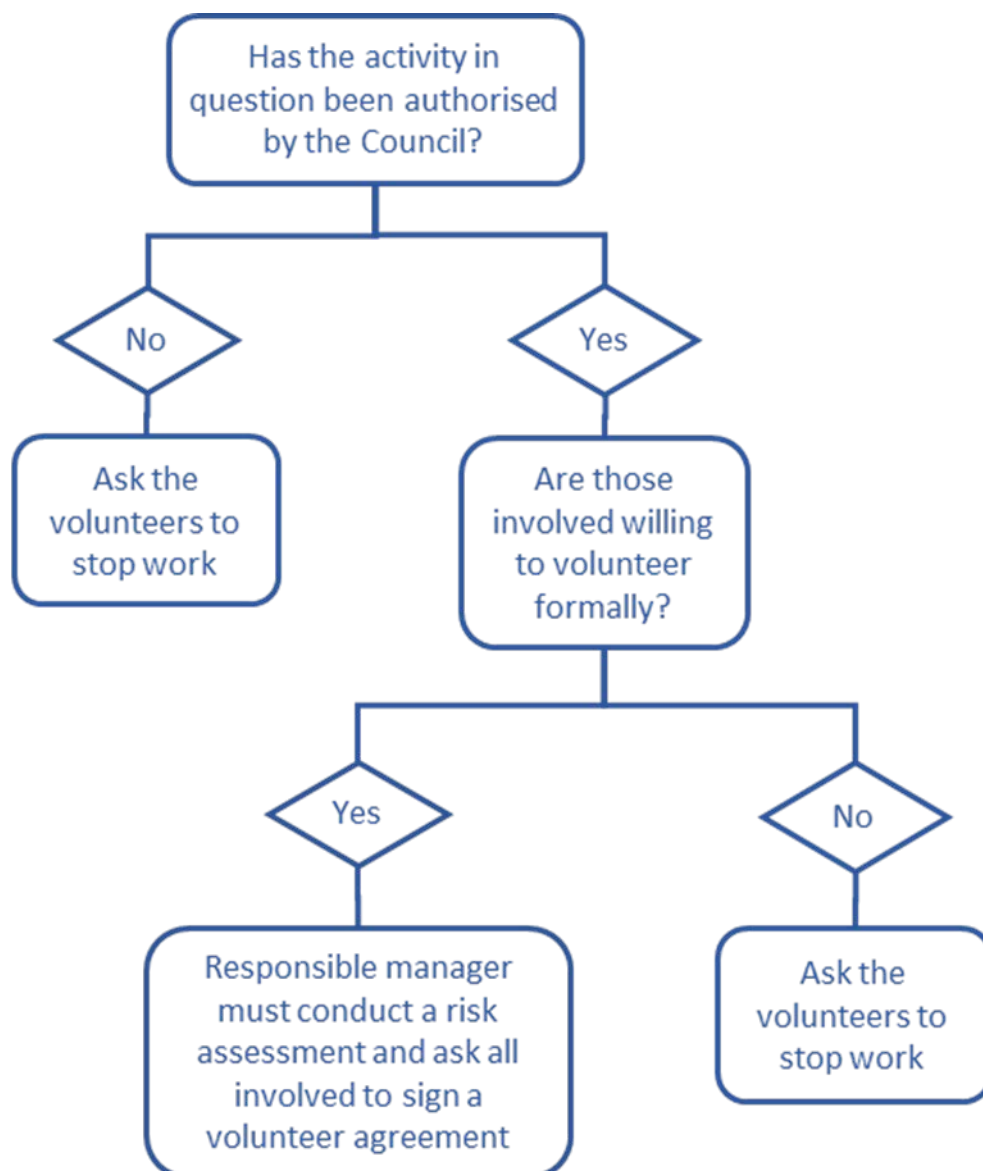
The first question to be asked is whether the activity has been authorised by the Council. If the answer is no, the volunteers should be asked to stop work. If the answer is yes, the volunteer needs to be put in touch with the responsible manager to be registered as a volunteer. These steps are essential to encourage volunteering while mitigating any risk to the public, the Council and the volunteers themselves.

In order for volunteer activity to be covered by the Council's public liability insurance, volunteers must have permission, the supervising manager must have carried out a risk assessment and the volunteers must have signed a volunteer agreement with the Council. If the volunteers concerned are willing to go down this route, managers should proceed as with regular volunteers. A suitable template for a volunteer agreement is appended to this policy at Annex 1.

If informal volunteers do not agree to sign a volunteer agreement, then the manager concerned must ask them to stop work.

The steps to be followed for informal volunteering are set out in the flowchart below.

14.



Resolution of Problems

Because volunteers are not employed by the Council, they are not subject to the disciplinary procedures covering the conduct of Council staff. Issues concerning the conduct of volunteers should be brought to the attention of the relevant service manager at the earliest possible opportunity. The service manager will seek to resolve the matter by informal discussion with the volunteer concerned.

Should the service manager consider that the issue is sufficiently serious to require action beyond an informal discussion, he or she will report the matter to the relevant Head of Service in order that appropriate action may be taken.

If a volunteer wishes to raise an issue regarding a member of Council staff, they should approach their supervisor within the Council, or the relevant service manager. If this route is not appropriate, or the matter remains unresolved, volunteers may seek advice from the Council's HR and Performance service or, if preferred, from the Volunteering Manager at VAO.

Service

Executive Director:

Council Offices, Kirkwall, Orkney, KW15 1NY

Telephone: 01856873535

Website: www.orkney.gov.uk

Fax:

Email:



Volunteer Letter of Agreement

To be Completed and Signed by Volunteer

I, _____ (Insert name).

of, _____ (Insert address).

have volunteered to Orkney Islands Council, to carry out unpaid voluntary work, by performing duties, tasks and / or functions, either within or out with Council facilities, for and on behalf of Orkney Islands Council. I have been accepted by Orkney Islands Council as a volunteer.

I understand that I am not employed by Orkney Islands Council in respect of my performing duties, tasks and / or functions, either within or outwith Council facilities, for and on behalf of Orkney Islands Council.

I will be supervised:

by _____ (Insert name / post of Supervisor).

of _____ (Insert name of facility where Supervisor is based).

and undertake that I will comply with all requests and instructions of the Supervisor. In the absence of the Supervisor, I will comply with all requests and instructions of any other Council employee present, or such other persons as are notified to me.

_____ (Signature).

_____ (Date).

Orkney Islands Council will contact you annually to check that you wish to remain a volunteer. This volunteer agreement can be terminated by the volunteer or the Council at any time.

Health and Safety Risk Assessment Guidance

Introduction

This guidance is intended for Orkney Islands Council managers and any other persons responsible for undertaking risk assessment. It is extracted from the Council's Health and Safety Risk Assessment Policy and Guidance.

The process of risk assessment underpins all current Health and Safety legislation. It is a process of determining what hazards exist in the work place, the likelihood of harm occurring and the need for appropriate control measures. The following guidance has been produced to give practical advice on the implementation of the risk assessment process.

Five Steps to Risk Assessment

In its advisory literature, the Health and Safety Executive (HSE) promotes the use of a 5-step approach to the process of risk assessment.

Before commencing the process, it is important to understand the meaning of the terms 'Hazard' and 'Risk' as follows:

HAZARD - is anything that can cause harm (e.g. electricity, fire, chemicals).

RISK - is the likelihood of harm occurring.

STEP 1

Look for the Hazards

In the initial stage of the process the assessor would be expected to walk around the workplace or look at the task and take a fresh look at what could reasonably be expected to cause harm. Effort should be concentrated on hazards which could result in significant harm or may affect several people. All hazards should be listed at this stage however.

When listing hazards it is useful to consult with other employees in the workplace who may have noticed things which are not immediately obvious.

Reference should also be made to manufacturers' operating instructions, hazard data sheets etc, which should clearly indicate the hazard a particular machine or chemical may present.

Accident and / or ill health records may also help to identify specific hazards associated with a workplace or work activity.

In general terms the following examples may prove useful:

- Slipping / tripping hazards (e.g. poorly maintained floors or stairs; ice or snow).
- Fire (e.g. from flammable materials).
- Electricity (e.g. poor wiring).
- Chemicals (e.g. cleaning materials).
- Dust (e.g. from wood working).

- Moving parts of machinery.
- Fumes (e.g. welding).
- Work at height (e.g. from ladders etc).
- Manual handling / Moving and handling.
- Lone working.
- Noise / Vibration.
- Biological (clinical waste).
- Poor heating, lighting, ventilation.
- Vehicles.
- Violence and aggression.

A specimen form for recording this and other information in the risk assessment process is given in Appendix 1 of this guidance.

STEP 2

Decide who might be harmed and how

When considering who might be harmed there is no need to list individuals by name, it is more appropriate to list groups of people doing similar work or who may be similarly affected by a particular work activity.

It is important to consider people who may not be in the workplace all the time e.g. visitors and contractors etc.

Particular attention should be given to those who may be more vulnerable e.g. staff with disabilities and lone workers etc.

The following list may therefore prove useful at this stage:

- Office Staff.
- Maintenance Personnel.
- Contractors.
- Operators.
- Cleaners.
- Members of the public (including clients, service users and pupils).
- People sharing the workplace.
- Staff with disabilities.
- Visitors.
- Young or inexperienced staff.
- Lone workers.

STEP 3

List existing controls

At this stage information should be provided on the steps that have already been taken to control a particular risk.

It may be necessary to provide details of information, instruction or training provided in relation to a 'safe system of work'. In this respect reference may need to be made to written procedures and operating manuals etc.

When considering the adequacy of existing control measures, it is important to determine whether:

- A. They meet the standards set by a legal requirement (e.g. prevent access to dangerous parts of machinery).
- B. They comply with a recognised industry standard.
- C. They represent good practice.
- D. They reduce the risk as far as is reasonably practicable.

The effectiveness or even lack of existing control measures will have a bearing on the calculation of residual risk in Step 4.

STEP 4

Calculate the Residual Risk

In guidance booklet HSG (65), the Health and Safety Executive outline a simple method of qualifying risk or **Risk Rating**.

The method involves making two judgements, one on the potential SEVERITY of any possible injury and the other on the **LIKELIHOOD** of harm occurring. Both judgements are on a scale of 1 to 5 as follows:

Likelihood / Severity Definitions.	
Likelihood.	
Rare (1).	Will only happen in exceptional circumstances (5-10 years).
Unlikely (2).	Not expected to happen but definite potential exists (2-5 years).
Possible (3).	May occur occasionally. Has happened before on occasion. Reasonable chance of occurring (annual).
Likely (4).	Strong possibility this could occur (quarterly).
Almost Certain (5).	Expected to occur frequently (daily /weekly / monthly).
Severity.	
Negligible (1).	Adverse event leading to very minor injury not requiring first aid.
Minor (2).	Minor injury or illness, first aid treatment required.
Moderate (3).	Significant injury requiring medical treatment and / or counselling. RIDDOR reportable.

Major (4).	Major injuries / long term incapacity or disability (loss of limb) requiring medical treatment and / or counselling.
Extreme (5).	Incident leading to death or permanent incapacity.

The risk rating is then calculated by multiplying the severity and likelihood figures.

Risk Matrix

Likelihood/Severity ^α	Negligible (1) ^α	Minor (2) ^α	Moderate (3) ^α	Major (4) ^α	Extreme (5) ^α
Almost Certain (5) ^α	5 ^α	10 ^α	15 ^α	20 ^α	25 ^α
Likely (4) ^α	4 ^α	8 ^α	12 ^α	16 ^α	20 ^α
Possible (3) ^α	3 ^α	6 ^α	9 ^α	12 ^α	15 ^α
Unlikely (2) ^α	2 ^α	4 ^α	6 ^α	8 ^α	10 ^α
Rare (1) ^α	1 ^α	2 ^α	3 ^α	4 ^α	5 ^α

Low = 1-5 ^α	^α	No action required ^α
Medium = 6-12 ^α	^α	Remedial action required as soon as is reasonably practicable. The higher the risk rating, the greater the priority for action ^α
High = 13-25 ^α	^α	Work must cease until the necessary action is taken ^α

STEP 5

Determine Control Measures

The final stage of the process is the determination of appropriate control measures necessary to eliminate or reduce a risk to an acceptable level.

Risk ratings of six or more will require some action to be taken in respect of additional control. The higher the risk factor the greater is the priority for action.

When considering the effectiveness of control measures, the following principles should be applied.

1. Remove the risk completely - **MOST EFFECTIVE.**
2. Try a less risky option.
3. Prevent access to the hazard (e.g. by guarding).
4. Organise work to reduce exposure to the hazard.
5. Issue personal protective equipment - **LEAST EFFECTIVE.**

Reference should be made to recognised good practice, HSE guidance and legal requirements when determining whether a particular method of control is adequate.

Further information and advice on control measures and access to codes of practice etc. can be obtained by contacting the Council's Safety and Contingencies section on extension 2255 or by email to malcolm.russell@orkney.gov.uk or alan.tait@orkney.gov.uk.

Checklist for health and safety risk assessment

Significant hazards.	Risk control measures already in place.	Risk Evaluation (Severity x Likelihood).			Further action or controls required.
		Severity. (1-5).	Likelihood. (1-5).	Rating.	
Slip / trip / fall.					
Work environment.					
Electrical.					
Mechanical.					
Manual handling.					
Moving and handling of people					
Chemical.					
Biological.					
Work equipment.					
Display screen equipment.					
Fire.					
Violence.					
Stress.					
Lone working.					
Vehicles.					
Vibration.					
Noise.					
Asbestos.					
Legionella.					
Work at height.					



Equality Impact Assessment

The purpose of an Equality Impact Assessment (EqIA) is to improve the work of Orkney Islands Council by making sure it promotes equality and does not discriminate. This assessment records the likely impact of any changes to a function, policy or plan by anticipating the consequences, and making sure that any negative impacts are eliminated or minimised and positive impacts are maximised.

1. Identification of Function, Policy or Plan	
Name of function / policy / plan to be assessed.	Volunteering Policy.
Service / service area responsible.	Corporate Services.
Name of person carrying out the assessment and contact details.	Anna Whelan. Telephone 01856873535, extension 2160. Email: anna.whelan@orkney.gov.uk.
Date of assessment.	22 January 2019
Is the function / policy / plan new or existing? (Please indicate also if the service is to be deleted, reduced or changed significantly).	This is an existing Council policy which complements the Volunteering Policy in Schools and covers the recruitment and management of volunteers in other services.

2. Initial Screening	
What are the intended outcomes of the function / policy / plan?	The Volunteering Policy is intended to assist service managers in the recruitment of volunteers and the management of volunteering activity. It will ensure that the Council support and encourages volunteers, and is compliant with relevant legislation and good practice. The policy also clarifies the position of Council staff acting as volunteers in their own time with Council services other than their own.
Is the function / policy / plan strategically important?	No.

<p>State who is, or may be affected by this function / policy / plan, and how.</p>	<p>Existing and potential volunteers, since the policy sets out a framework and guidelines for their recruitment and volunteering activity.</p> <p>Service managers, since the policy is designed to assist them in managing volunteer activity and ensure that their service is compliant with relevant legislation and good practice</p> <p>Council employees, since the policy clarifies what does and doesn't count as voluntary activity, and how it should be managed.</p> <p>Voluntary Action Orkney's Volunteer Support service, which acts as a referral agency for people interested in volunteering.</p> <p>Members of the public who may benefit from volunteering activity undertaken by volunteers with the Council.</p>
<p>How have stakeholders been involved in the development of this function / policy / plan?</p>	<p>The Corporate Services Team, individual managers with a particular interest, and the Volunteering Manager at Voluntary Action Orkney were all consulted at the time of drafting the policy. The Corporate Management Team were asked to nominate service managers to comment on the draft policy. The draft policy was subsequently circulated to all managers with an interest, and to VAO, for comment and amendment.</p> <p>The 2018 review was conducted by an officer group with representation from Development and Infrastructure, Finance, HR, Legal Services, Health and Safety, Strategy and Community Planning. Elected members were briefed on the revised draft by means of a seminar and proposed other minor amendments.</p> <p>This policy is concerned with supporting and encouraging volunteers, compliance, procedure, and the protection of both volunteers and the Council. Individual volunteers were not consulted as there was limited scope to change the wording of the draft policy, but a number of the managers involved have experience of volunteering for the Council.</p>
<p>Is there any existing data and / or research relating to equalities issues in this policy area? Please summarise.</p> <p>E.g. consultations, national surveys, performance data, complaints, service user feedback, academic / consultants' reports,</p>	<p>The Knowhow Nonprofit website contains some useful information relating to the status of volunteers in the light of the Equality Act 2010. The advice includes:</p> <p>Does the Equality Act apply to volunteers?</p> <p>In January 2011, the Court of Appeal confirmed the Equality Act does not apply to volunteers in the same way as employees and ruled volunteers</p>

<p>benchmarking (see equalities resources on OIC information portal).</p>	<p>without contracts are not covered by anti-discrimination legislation for workers.</p> <p>It said that to be protected by anti-discrimination legislation, an individual must have a contract and that a wage is 'highly relevant'. A volunteer agreement does not constitute a contract of employment. The report by ACAS is helpful to understanding the position.</p> <p>An Equality and Human Rights Commission (EHRC) statement that a volunteer should be considered by organisations, "as if they are providing you with a service" has yet to be tested in the courts. See page 22 of the EHRC document Your rights to equality from voluntary and community sector organisations (including charities and religion or belief organisations).</p> <p>A volunteer who has a contract with an organisation does not have the same protection as a paid employee. See the Knowhow pages on the distinction and Volunteers' Rights guidance from Gov UK.</p> <p>There are numerous examples online of Equality Impact Assessments of public sector volunteering policies. These mainly focus on the recruitment of volunteers from the point of view of the general equality duty. Issues identified include:</p> <ul style="list-style-type: none"> • Under-representation of volunteers from some minority groups. • Age limits on volunteers. • Gender balance among volunteers (who are predominantly female). • Lack of capacity to support volunteers with additional support needs e.g. those with a learning disability.
<p>Is there any existing evidence relating to socio-economic disadvantage and inequalities of outcome in this policy area? Please summarise.</p> <p>E.g. For people living in poverty or for people of low income. See The Fairer Scotland Duty Interim Guidance for Public Bodies for further information.</p>	<p>(Please complete this section for proposals relating to strategic decisions).</p>
<p>Could the function / policy have a differential impact on any of the following equality areas?</p>	<p>(Please provide any evidence – positive impacts / benefits, negative impacts and reasons).</p>

1. Race: this includes ethnic or national groups, colour and nationality.	No. There may be an imbalance in recruitment within Orkney but this would not be affected by the policy. If necessary it could be addressed by targeted recruitment.
2. Sex: a man or a woman.	No. There may be an imbalance in recruitment within Orkney but this would not be affected by the policy. If necessary it could be addressed by targeted recruitment.
3. Sexual Orientation: whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.	No.
4. Gender Reassignment: the process of transitioning from one gender to another.	No.
5. Pregnancy and maternity.	No.
6. Age: people of different ages.	No. Some volunteering opportunities may have a lower age limit, but this is determined by the service manager as appropriate to each case, and not a matter of policy.
7. Religion or beliefs or none (atheists).	No.
8. Caring responsibilities.	No. It is possible that caring responsibilities might prevent someone from being able to volunteer but this would not be a consequence of the policy. Managers may be able to accommodate a volunteer in this situation, depending on individual circumstances.
9. Care experienced.	No.
10. Marriage and Civil Partnerships.	No.
11. Disability: people with disabilities (whether registered or not).	No. It is possible that a disability might prevent someone from being able to volunteer but this would not be a consequence of the policy. Voluntary Action Orkney is sometimes able to offer supported volunteering to people with additional support needs but has limited capacity to do so. Alternatively, a potential volunteer may already have a support worker who could assist them. Managers may be able to consider it as an option, depending on individual circumstances. The revised policy gives a higher priority to risk assessment, which must now be conducted by the responsible manager in all instances of volunteering. This will help to protect the health and safety of volunteers with a physical or learning disability.

12. Socio-economic disadvantage.	No.
13. Isles-proofing.	No.

3. Impact Assessment

Does the analysis above identify any differential impacts which need to be addressed?	No.
How could you minimise or remove any potential negative impacts?	Not applicable.
Do you have enough information to make a judgement? If no, what information do you require?	Yes.

4. Conclusions and Planned Action

Is further work required?	No.
What action is to be taken?	Not applicable.
Who will undertake it?	Not applicable.
When will it be done?	Not applicable.
How will it be monitored? (e.g. through service plans).	There is no ongoing work in need of monitoring. However, a regular report on the use of volunteers may be of interest to Elected Members, in which case this can be provided annually as a briefing note.

Signature: 

Name: ANNA WHELAN

Date: 22 JANUARY 2019

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Please sign and date this form, keep one copy and send a copy to HR and Performance. A Word version should also be emailed to HR and Performance at hrsupport@orkney.gov.uk