



## Factsheet/Advice Sheet

### Volunteers and the Law

This is one of a series of factsheets for voluntary and community groups issued by West Norfolk Voluntary and Community Action, WNVCA.

#### **Volunteer Expenses**

Voluntary workers should receive no payment except the provision of subsistence or accommodation that is deemed reasonable in the circumstances. Expenses should be genuine and can include childcare and lunch expenses. All expenses should be receipted or have a travel claim which clearly states mileage and journey information. In no circumstances should a volunteer be given a fixed amount to cover expenses.

#### **Volunteer Roles and Agreements**

Wording is very important on volunteer role descriptions. There should be no obligation on volunteers to perform roles or give notice. Volunteers should not be given contracts and are not subject to disciplinary or grievance procedures. They should not be penalised for failing to attend their placement. There are examples of volunteer agreements in the Russell Cooke Legal Handbook in the resource area at WNVCA.

#### **Immigration**

Organisations wishing to recruit volunteers from overseas must have a sponsorship licence and individuals will generally need entry clearance in advance of arrival in the UK. There is no guarantee of entry clearance just because an organisation is a sponsor.

The sponsorship scheme only applies where an individual is seeking leave to remain in the UK or leave to enter for the purpose of working within a charity.

#### **Benefits**

Volunteers receiving benefits can keep any reasonable expenses they receive.

Organisations may need, if asked, to provide a confirmation letter for the Job Centre stating that the volunteer is available to attend a job interview at short notice.

The Job Centre can make deductions from an individual if they feel work should be paid but are usually satisfied when roles are with voluntary organisations.

### **Intellectual Property**

Where volunteers are designing websites, artwork etc. it is important to include in the volunteer agreement that they will sign the rights over to the organisation. There should be no joint or shared copyright. There should be no ongoing commitment for the volunteer to provide the service.

### **Issues with Volunteers**

Volunteers can be warned about inappropriate behaviour informally but it should not go any further than that. There should be no hearings or anything formal. If there are further problems you can just stop using them.

This information has been produced by West Norfolk Voluntary and Community Action set up and owned by local groups to support, promote and develop local voluntary and community action.

We have taken all reasonable steps to make sure that this information is current and accurate. We cannot, however, guarantee its accuracy or completeness and therefore cannot accept liability for your acting, or failing to act, on the information given.

For resources, books, ideas and useful information please contact West Norfolk VCA or email [info@westnorfolkvca.org](mailto:info@westnorfolkvca.org).