

	<p>Essex Foster Carers Association Volunteers</p>	<p>Valid until October 2023</p>
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Managers of volunteers need to be mindful of the risks when volunteers are seen as employees.

Essex Foster Carers Association will want to keep appropriate boundaries between their paid staff and their volunteers, while endeavouring to ensure both are valued equally. While volunteers do not have the same employment rights as staff, we will ensure that volunteers are treated fairly and consistently.

The main reason organisations find themselves in difficulties over this issue is when a volunteer has made a complaint and they felt it wasn't addressed internally. They have tried to establish employee status in order to get the complaint resolved. This is a complex issue, and the organisation may need to take legal advice.

### Managing the risk

This is not a significant risk as volunteers are unlikely to want to be 'employees'. However, if things do go wrong, the impact can be significant, and an organisation's reputation may be damaged. To manage the risk there are several things to consider:

- anything that could be seen as a payment for work, for example, paying expenses should be a genuine reimbursement of out-of-pocket expenses rather than a fixed amount per week
- training offered should be linked to the role that the person is carrying out, rather than a general perk or enticement to volunteer
- phrasing the volunteer relationship in terms of expectation rather than obligation
- language that suggests employment – a volunteer agreement rather than contract, role rather than job description.