



Volunteering ACT

Employment of Volunteers

When agencies are engaged in the employment of volunteers it is necessary for the agency, in addition to assessing the volunteer's general competence to perform the tasks required by a vacant position, to take into consideration the volunteer's suitability with respect to a number of other matters that may have substantial legal or security implications.

This is of particular importance when the volunteer may be required to work in contact with specific classes of people, such as children, disabled persons or the elderly.

As an example, the following statement is in accordance with the contractual requirements of the ACT Department of Education and Community Services:

Recruitment of Staff and Volunteers

There must be a procedure in place which ensures that all persons employed at or involved with children in the organisation are fit and proper persons. A person is 'fit and proper' if:

- (a) the person is capable of providing an adequate standard of care in a service setting
- (b) the person understands the needs of the service's clients
- (c) the person is of good character and is suitable to be entrusted with the care of children

The organisation must be satisfied that any relevant person is 'fit and proper' for any proposed position. The test of good character includes taking into account:

- (a) Convictions in Australia or overseas of any offence involving children (offences against children include child abuse, assault and neglect).
- (b) Any action taken in Australia or overseas in respect of the protection of children who were under the guardianship or custody of the person.

The process for the selection of staff and volunteers should be designed so that applicants are required to demonstrate the above qualities.

As part of their employment practices organisations are strongly advised to request personal references which should be checked with the referee, and a police clearance. Organisations should request a police check each time they employ staff and volunteers including those who have worked in other services as part of the obligation to ensure that all staff are 'fit and proper'. It is considered inefficient for the applicant to supply a police check as there is no guarantee that it is up to date and that it has not been tampered with. The information from the police will go directly to the service provider.

It is extremely important that such information is sensitively and confidentially handled with access only to those who must see it. This is particularly important for the provider where access to the details of police or reference checks should be limited and not open to all senior employees.

Agencies seeking further information on this subject are encouraged to consult their own legal advisors to ensure that they are operating procedures are appropriate.

Volunteering ACT Inc.
ABN 30 433 789 697

Canberra Labor Club Community Chambers
Chandler Street, Belconnen, ACT, 2617
PO Box 48, Belconnen, ACT, 2616
Phone: (02) 6251 4060 Fax: (02) 6251 4161
Email: referral@volunteeract.org.au