

# Volunteer Workers Policy Brighton Primary School 1542

## Purpose

To explain the legal rights of volunteer workers in schools.

## Policy

Volunteer school workers are not liable in any civil proceedings for anything done, or not done, in good faith in providing a community service.

## Definition of volunteer

A volunteer school worker is a person who voluntarily engages in school work or approved community work, without payment or reward. School work means:

- carrying out the functions of a school council
- any activity carried out for the welfare of a school, by the school council, any parents' club or association or any other body organised to promote the welfare of the school
- any activity carried out for the welfare of the school at the request of the principal or school council
- providing any assistance in the work of any school or kindergarten
- attending meetings in relation to government schools convened by any organisation which receives government financial support.

This is a broad definition, and means that volunteers who participate in school community activities, such fundraising and assisting with excursions, are well protected from legal action by others.

**Important:** "Voluntary" work carried out to meet Centrelink requirements

People who perform unpaid work in schools under the "Work for the Dole" programme and "Community Work" programmes administered by Centrelink have insurance cover provided by the Federal Department of Education, Employment and Workplace Relations, and may perform work in schools.

Other Centrelink benefit recipients involved in "voluntary" work in order to fulfil their recipient obligations are **not** covered by an Australian Government insurance scheme and are **not** insured to work in Victorian government schools. Schools may not accept this group of Centrelink benefit recipients to work as volunteers in Victorian government schools.

## Compensation

### Personal injury

Volunteer workers are covered by the Department's Workers Compensation policy if they suffer personal injury in the course of engaging in school work or when travelling to or from the place where the school work is to occur.

## **Property damage**

If a volunteer school worker suffers damage to his or her property in the course of carrying out school work, the Minister may authorise such compensation as the Minister thinks reasonable in the circumstances. Claims of this nature are to be directed to:

The Manager  
Liability Services Unit  
Executive and Ministerial Services  
Department of Education and Early Childhood Development  
Level 3, 2 Treasury Place  
East Melbourne 3002

## **Related policies**

- [Fetes](#)
- [Personal Liability of School Employees](#)
- [Responding to Legal Claims, Writs and Subpoenas](#)
- [Volunteer Checks](#)

## **Related legislation**

- *Education and Training Reform Act 2006* - sections 5.6.2, 5.6.3
- *Workers Compensation Act 1958*
- *Wrongs Act 1958* – section 37(1)

## **Department resources**

- [Volunteer Workers and Working Bees](#)

This policy was last ratified by School Council – August 2014

To be reviewed 2017