

Office of the Minister for the Community and Voluntary Sector

Cabinet Social Development Committee

VOLUNTEERS AND VOLUNTEERING POLICY PROJECT: PAPER TWO – KEY ISSUES IMPACTING ON VOLUNTEERING

Proposal

1. This is the second of two Cabinet papers outlining the impact of government policy on volunteers and volunteering. Paper Two outlines key issues identified by the Volunteers and Volunteering policy project and proposes a set of actions.

Executive Summary

2. Based on information gained through consultation, Paper Two outlines issues in government legislation, policy and practice which impact on volunteers under two headings:
 - ***Protection and good practice*** discusses guidelines and standards for volunteer management, liability and insurance, and ACC
 - ***Supporting and enabling volunteering*** deals with taxation, expenses, information provision, training, volunteering by beneficiaries, employees who volunteer, and issues for rural, youth, and older volunteers.
3. A programme of actions is recommended, with a further report to Ministers by 30 September 2003. Key actions relate to:
 - supporting community sector-led development of national standards for volunteer management
 - scoping of options to address liability and insurance issues
 - including issues affecting volunteers in the next review of the Injury Prevention, Rehabilitation and Compensation Act 2001
 - determining circumstances where honoraria might be treated as reimbursement of expenses and therefore tax-free
 - investigating options for joint-agency regional seminars on key legislation which impacts on volunteers
 - considering priorities for further investment in volunteer training
 - developing a project to enhance youth volunteering.
4. Tangata whenua, Pacific and ethnic peoples¹ concerns need to be taken into account in all actions. Information provision and volunteer training were key issues raised by these communities during consultation.

Background

5. This is the first time that government has considered issues for volunteers across a range of portfolios. Drawing on information from submissions, conference workshops, focus groups and literature, the Volunteers and Volunteering policy project has identified a number of concerns that affect volunteers involved in diverse activities. These issues potentially impact on:
 - the safety and wellbeing of individual volunteers, and their ability to participate
 - the ability of community organisations, which rely heavily on volunteers, to effectively deliver services on behalf of government

¹ People other than Māori and Pacific peoples, whose ethnicity is different from the majority of New Zealanders, are referred to in this paper as 'ethnic peoples'.

- the ability of community organisations, tangata whenua, Pacific people and ethnic peoples to meet community-defined goals, with minimum reliance on government.
6. Paper One, agreed by Cabinet on 18 November 2002 (CAB Min (02) 31/5B), discussed the importance of recognising and valuing volunteers. Paper Two discusses issues in government legislation, policy and practice which impact on volunteers. These are grouped below under two headings:
- Protection and good practice
 - Supporting and enabling volunteering
- Each issue is summarised and followed by a comment to clarify options for addressing the concerns. Issues for tangata whenua, Pacific and ethnic peoples are incorporated in the text, with background details available on the MSD website.

Protection and good practice

Volunteer management

7. Volunteers can face similar workplace difficulties to paid employees including bullying, exploitation, sexual harassment, poor management, and mis-treatment. As the Employment Relations Act Section 6 excludes from the definition of ‘employee’ those volunteers who are not rewarded for their efforts, most volunteers cannot access mediation and there is no body such as the Employment Relations Authority assigned to look after their interests. In some cases of discrimination, breach of privacy or sexual harassment there are avenues for redress through the Human Rights Act and the Privacy Act respectively. Information on these avenues is not, however, readily accessible to many volunteers.
8. There are also questions about the rights and responsibilities of community organisations in relation to volunteers. For instance, uncertainties can arise about good processes for managing, and where necessary ‘sacking’, volunteers who exhibit difficult behaviour or do not meet agreed obligations. Other difficulties include whether volunteers should be involved in work for which they have no insurance cover, or when there are insufficient resources to provide training, or reimburse out-of-pocket expenses. Organisations also need to ensure that volunteers are not used to replace, or undermine the working conditions of, paid staff.
9. **Comment:** The Department of Labour (DoL) considers that the current employment related mechanisms for resolving disputes, such as DoL’s mediation services, the Employment Relations Authority, and the Employment Court, are not appropriate avenues for addressing problems that may arise between volunteers and community organisations. The nature of volunteering is substantially different in law to an employer-employee relationship, and it would be inappropriate to introduce the level of formality of employment relationships into voluntary relationships.
10. Officials conclude that facilitating good practice in managing volunteers is the best avenue for ensuring that volunteers are treated fairly. Some organisations develop their own guidelines in good practice management², obtain advice from volunteer centres or national organisations³, and provide training to volunteer co-ordinators or other staff to ensure good management. It would be useful to build on this by

² Most government agencies that run volunteer programmes also have, or are developing, guidelines.

³ For example, the New Zealand Federation of Voluntary Welfare Organisations has a publication, *Managing Volunteers*, which provides guidelines for good practice in managing volunteers.

developing nationally recognised standards for volunteer management to provide principles of ‘best practice’ for community organisations and government agencies.

11. Volunteering New Zealand is planning to develop a national set of standards for volunteer management. An effective consultation process will be needed to ensure that the standards incorporate the perspectives of tangata whenua, Pacific and ethnic peoples and are relevant across the community sector. As a new organisation, Volunteering New Zealand may need assistance to develop a comprehensive set of standards. *It is recommended that officials, led by the Ministry of Social Development (MSD), provide support to Volunteering New Zealand and other key community sector agencies to develop a community sector-led proposal for national standards in volunteer management.*

Liability and insurance

12. Fear and risk of liability can be a disincentive to volunteering, especially for volunteers involved in high-risk activities and those involved at the governance level. For example, there have been high profile cases where volunteers involved in organising sports events on roads have been prosecuted following injuries to the public. Other issues identified in this area are:
 - many organisations and volunteers are uncertain about the insurance they require
 - the high cost of indemnity insurance is causing difficulties for some organisations wishing to stage community and sporting events
 - some volunteers who perform statutory duties have legislative protection from civil action (for instance volunteer fire fighters) but other volunteers with comparable duties (notably volunteer ambulance drivers) do not.
13. ***Comment:*** Options to address these issues include:
 - development of advice relevant across the community sector about assessing risk of personal and organisational liability and about insurance options
 - support for organisations to improve risk management training and standards⁴
 - expansion of statutory liability protection for actions performed in good faith by volunteers who perform statutory or quasi-statutory roles
 - development of broader legislation for volunteer indemnity for acts of good faith, similar to the USA’s Volunteer Protection Act 1997 or South Australia’s Voluntary Protection Act 2001⁵.
14. *Officials recommend that MSD, in consultation with relevant government agencies and community organisations, scope options for addressing liability and insurance issues affecting volunteers and the organisations in which they work.*

Accident Insurance (ACC scheme)

15. There is confusion amongst volunteers about their coverage under ACC. There are also concerns about circumstances where volunteers meet the costs of injuries sustained through volunteering. Although information is not available on the extent to which volunteers are meeting the injury related costs, three areas have been raised:

⁴ Commencement of a project to develop a ‘Risk Management in Sport and Recreation Handbook’, led by Standards New Zealand and Sport and Recreation New Zealand, is currently contingent on meeting a \$20,000 shortfall in funding.

⁵ New Zealand’s ‘Volunteer Employment Protection Act 1973’ is specific to territorial and reserve defence forces. The Foreign Affairs, Trade and Defence Select Committee has been considering amendments to the Act. The Volunteers project has suggested the Act’s name be changed to indicate that it does not cover all volunteers.

- an employee who is unable to continue paid work due to an injury sustained in that work, has their first week of income compensation paid for by their employer before ACC starts paying weekly income compensation. An employee unable to continue their paid work due to an injury sustained through volunteering, has a one-week unpaid stand-down before receiving weekly income compensation
 - volunteers are not covered for gradual process injuries such as Occupational Overuse Syndrome (OOS) where these result from volunteering
 - volunteers who are not in paid employment are not entitled to vocational rehabilitation if they require support to return to a volunteering position.
16. **Comment:** ACC has recently updated a pamphlet explaining ACC provisions for volunteers. The revised information is available on the ACC website. The project core group considers that this information needs to be widely disseminated to volunteers and community organisations.
17. Government could consider meeting the costs of volunteers' loss of income, treatment and/or rehabilitation by extending ACC cover to volunteers in some circumstances. The feasibility of this would require further investigation and analysis. Any changes would introduce new distinctions into the Injury Prevention, Rehabilitation and Compensation (IPRC) Act 2001 by favouring volunteers above other non-earners who injure themselves outside of paid work. The IPRC Act came into force in April 2002 and amendments to the IPRC Act could be considered when it is next reviewed (not expected before 2004/05).
18. *Officials recommend that:*
- *ACC actively inform volunteers and community organisations of their rights and responsibilities in regard to ACC coverage*
 - *DoL and ACC consider coverage of volunteers in the context of the next review of the Injury Prevention, Rehabilitation and Compensation Act 2001.*

Supporting and enabling volunteering

Volunteer expenses

19. For some volunteers, meeting the costs of petrol, public transport fares, car parking, training, toll calls, childcare, printing, and postage is a burden that becomes a barrier to continued participation. Government funders of community organisations do not always pay the full cost of providing a service and many community groups, having to minimise their costs, sacrifice reimbursement of volunteers' expenses.
20. **Comment:** A commitment by government agencies to address this issue immediately by building the costs of volunteer expenses into all service contracts could be a significant additional cost on government, and could reduce the range of services able to be funded. The project core group considers that the issue is best addressed by:
- acknowledging that an element of personal 'donation' is likely to continue in the services provided by volunteers
 - promotion and use of the proposed national standards for volunteer management which would encourage community organisations to find ways to reimburse volunteer expenses (e.g. by applying to grant funders such as philanthropic trusts)
 - moves over time by government agencies to include volunteer expenses in project costings and service funding. *Officials note that this is encouraged in the Funding Best Practice toolkit for public servants, which has been developed by the Community-Government Relationship Steering Group.*

Expenses interpreted as income

21. Payments received by volunteers to cover their expenses are sometimes interpreted by government agencies as income. Often the difficulty relates to small payments where, to save red tape, volunteers are not required to produce proof of their expenses, so it is difficult to prove that the payments equate with the reimbursement received. The following are examples brought to the attention of the project core group:
- volunteer drivers for incorporated charitable organisations and hospitals are exempt from having to hold Passenger (P) license endorsements. The draft Land Transport (Driver Licensing) Amendment Rule 2002 proposes a definition of volunteer as a "person who drives a motor vehicle without expecting or receiving *any personal reward*". Community organisations are concerned that this means that volunteer drivers who are reimbursed their operating costs, or who receive donations from passengers, will be required to get 'P' licenses
 - MSD is looking at the treatment of monies received by different types of home-based childcare providers varies in terms of the proportion that is considered to be for reimbursement of expenses
 - there is a perception that overseas visitors require work permits if they receive any reward for their volunteering, including morning and afternoon tea and reimbursed transport costs.
22. This issue also arises in relation to honoraria, which for tax purposes are considered withholding payments and subject to tax of 33%. Small honoraria (for example, \$100 a year or \$20 a meeting) are sometimes paid to volunteers as token recognition of some of the hidden costs associated with their volunteer role. Some volunteers believe it is unfair to tax honoraria paid on this basis. Also, where a small honorarium is a person's only self-employed income, the need to fill out a tax return imposes a compliance cost which may seem out of kilter with the amount involved.
23. **Comment:** The following actions are noted:
- officials will be reporting to the Minister of Transport by December 2002 on the Amendment Rule, including comments on how to address concerns raised in relation to the proposed definition of volunteer. What constitutes 'hire or reward' will also be addressed in the review of operator licensing under the Land Transport Amendment Bill, available for introduction in 2003.
 - MSD is consulting other government agencies and the main organisations that arrange home-based care, and will develop a policy regarding appropriate treatment of monies received by home-based carers by February 2003.
 - the New Zealand Immigration Service (NZIS) advises that volunteers on visitor permits do not need work permits if the organisation they volunteer for is clearly a charity and the volunteer gains 'no financial advantage'⁶. NZIS has agreed to clarify its policy to relevant community organisations by 28 February 2003.
24. Concerns about the tax treatment of honoraria could be dealt with in two ways. First, under current law it is possible for an organisation to apply to the Commissioner of Inland Revenue for their honoraria payments to be treated as expenditure incurred in deriving income and, therefore, not taxable. IRD could issue a general determination

⁶ The Department of Conservation (DoC) and NZIS have a long-standing agreement that international volunteers receiving free accommodation while engaged in back-country or island conservation work through DoC, will not be considered to have gained financial advantage as no alternative accommodation is available.

stating that honorarium up to a specified level will be treated as expenditure without individual applications being required.

25. Alternatively, under current law an employer can treat as a tax-free allowance an amount paid to an employee as reimbursement for expenditure incurred by that employee. At present this provision does not cover reimbursing payments made to recipients of honoraria. Tax law could be amended to allow employers to treat all or part of an honoraria as a reimbursement of expenses and therefore tax-free.
26. *Officials recommend that Inland Revenue undertake further work to determine circumstances where honoraria might be treated as reimbursement of expenses and therefore tax-free⁷.*

Information provision

27. Volunteers and organisations have indicated that they have unmet information needs in relation to their 'rights' and obligations, and how legislation (especially regarding health and safety, ACC, and privacy) affects them. The importance of face-to-face information was emphasised, particularly by tangata whenua, Pacific and ethnic peoples, who requested that information on legislation be provided through seminars. Greater access to culturally appropriate, easy-to-read written material about legislation was also sought, with key information translated into community languages.
28. ***Comment:*** Requests for quality information on legislation may be indicative of a broader question about the extent to which government communication strategies are meeting needs of the public, and particularly the diverse information needs of tangata whenua, Pacific and ethnic peoples. This paper has discussed development of some additional written materials for community organisations: national standards of volunteer management (paragraph 11), and ACC information (paragraph 16). Cultural appropriateness and accessibility for people who speak English as a second language should be taken into account.
29. Regional seminars on how government legislation and policy impacts on volunteers could be developed as a collaborative effort across government agencies. Specific initiatives targeted at tangata whenua, Pacific volunteers and ethnic volunteers should be considered, taking into account progress with the regional information fono for Pacific peoples noted in Paper One. *Officials recommend that MSD investigate options for organising and funding such regional seminars.*

Volunteer training

30. Many community organisations have difficulty accessing funding to train their volunteers in-house and/or to send them to external courses. Also, some training appears to be unevenly available around the country. In particular the project heard of unmet training needs for:
 - volunteers needing training in the specific activities of the organisation they are supporting
 - community sector managers, regarding how to effectively involve and support volunteers

⁷ In relation to income assessment of beneficiaries, honoraria fall within the definition of income as defined by the Social Security Act 1964. Any changes made by Inland Revenue as proposed in paragraph 26 will not impact on the Social Security Act.

- volunteers appointed to governance boards, who perform critical roles in setting directions and monitoring progress of their organisations.
31. Pacific peoples commented on a lack of information about available training and funding sources, special training needs for volunteers with English as a second language, and the need for training through mainstream institutions to be culturally appropriate.
 32. Some organisations, particularly in Auckland, noted an increasing proportion of refugees and migrants seeking to volunteer. Mainstream organisations need better understanding of the needs of these volunteers. Ethnic peoples also commented on lack of training for the volunteers who fill gaps in settlement support for refugees and new migrants (including providing interpreting services or advice/liaison with government agencies) which can lead to ethical and legal difficulties.
 33. **Comment:** During IYV-2001 a substantial proportion of funding for the Year (\$750,000 Lottery Grants Board; \$280,000 Community Organisations Grants Scheme) was allocated to volunteer training, but this was one-off funding. Another previous source was the Industry Training Fund (ITF). In 1998, government agreed that the eligibility criteria for the ITF would include funding for volunteers seeking to gain credits under the National Qualifications Framework. The criteria were tightened again, however, following a flood of applications for volunteer training that fell outside the intent of the Industry Training Act (1992), which is to facilitate employment-based training. This impacted particularly on the recreation and sport sector which had advanced furthest in training volunteers through the National Qualifications Framework.
 34. Some government agencies purchasing services from community organisations specifically include volunteer training in contracts, but preliminary enquiries suggest that this is rare. *The Community-Government Relationship Steering Group has developed a good practice toolkit for government funding of community organisations. The toolkit suggests that volunteer training needs should be considered a legitimate cost within government funding agreements.*
 35. Tertiary training in not-for-profit management can now be accessed via distance learning from Waikato University, or through block courses run by UNITEC in several main centres. Often, however, one to two day non-formal courses are preferred. These are not available in many places. Further exploration is needed into the extent of the gaps in provision and to develop options for short outreach courses.
 36. The training issues raised here are a subset of wider community sector training needs, discussed by the Community-Government Relationship Steering Group, which has reported to Ministers separately. Developments within the adult education and community learning sector, led by the Ministry of Education, will also be relevant. To ensure that training issues specific to volunteering are not lost in the wider picture, *officials recommend that MSD investigate options for further government investment in volunteer training, taking into account other relevant training initiatives that may impact on the community sector, and the specific needs of tangata whenua, Pacific and ethnic volunteers.*

Volunteering by beneficiaries

37. A number of submissions sought greater flexibility and more proactive support for volunteering by Work and Income clients. Limited access to childcare was also identified within submissions as a barrier to participation. Concerns were raised that some tangata whenua, Pacific and ethnic beneficiaries experience difficulties in meeting cultural obligations in the context of job seeker requirements.
38. ***Comment:*** Work-tested beneficiaries are able to undertake any volunteering activities of their own choice provided they remain engaged in active job search and follow up all employment opportunities. They cannot refuse paid work (part-time, full-time, seasonal or temporary) on the basis of volunteering commitments.
39. The Social Security Amendment Act (2000) amended the Social Security Act 1964 to allow work-tested beneficiaries to have voluntary work recognised in their job seeker agreements as part of meeting work test responsibilities, if the volunteering is deemed suitable for moving the person to unsubsidised employment. Employment-related training, work experience and work exploration activities, however, are considered by MSD to have greater value than volunteering in assisting a client towards paid employment. Clients participating in these activities may be eligible for up to 37 hours childcare subsidy; this additional child-care subsidy is not available for volunteering⁸. MSD does not propose any change to policy in relation to volunteering and work-tested beneficiaries.
40. The Social Security (Personal Development and Employment) Amendment Act has removed the work-test regime for sole parents and former carers receiving the Domestic Purposes Benefits and Widows Benefit. Active encouragement of volunteering by these beneficiaries may fit well with the policy intent of facilitating movement into ongoing paid employment, as their family responsibilities and individual circumstances allow.
41. In some areas Work and Income has built positive working relationships with local volunteer centres. These examples could be profiled and shared across Work and Income offices. Work and Income facilitates volunteering opportunities through the 'Activity in the Community' programme. *MSD will ensure that volunteering by beneficiaries is valued and supported where it will clearly contribute to the enhancement of clients' skills and work experience.*

Employees who volunteer

42. Many government and business sector employees are valuable contributors to their communities through volunteering in their private capacity⁹. Long work hours or shift-work can, however, negatively affect these involvements. The project heard that there would be benefits for communities and employers if employees are actively supported through workplace policies to engage in volunteering. Balanced against this, the State Services Commission (SSC) notes that there can be conflict of interest between work and community involvements and this needs to be carefully managed.

⁸ Work-tested clients not undertaking a recognised activity can access up to 9 hours childcare per week.

⁹ A 2001 survey of staff in the former Ministry of Social Policy found diverse involvements with community organisations including school boards of trustees, Pacifica, sports coaching, Samaritans, the World Wildlife Fund, Amnesty International, a heritage museum, and a Māori health organisation.

43. Some public servants (especially those from tangata whenua, Pacific and ethnic communities) feel under an obligation from their communities to provide advice on government related matters outside of working hours. Whilst a few government agencies have policies that allow for recognition of such demands on staff, for example through performance appraisals and special leave arrangements, concerns remain about the extent to which these policies are implemented.
44. **Comment:** The SSC is preparing material on how to balance responsibilities as a public servant with expectations from the community. The project core group considers it would also be useful for government agencies to develop human resource policies that recognise and support volunteering by staff, and support tangata whenua, Pacific and ethnic staff to fulfil their cultural obligations, including recognition of the duties of kaumātua and other tangata whenua volunteers. The proposed Government Policy on Volunteering in Paper One includes an expectation that all government agencies will 'have policies in place that support the private volunteering activities of staff while ensuring that public servants continue to fulfil their professional obligations'.
45. The recent SSC *Career Progression Survey* found that three-quarters of public servants surveyed were working more hours than they were employed for. Employees who are better able to manage their work-life balance may be more productive, can learn new skills through volunteering activities, and may bring valuable information about communities and community organisations into their paid work. There can be benefits for the individual, their family and the wider community. Public servants, however, need to avoid any potential conflict of interest that arises through their volunteering. DoL is developing a website for employers about how to enhance 'Work/Life Balance'. *The DoL and the SSC will be considering the need for further work on work/life balance, including community and voluntary involvement, once the DoL website has been developed.*

Rural volunteers

46. Rural communities face unique issues in regard to volunteerism. Ministry of Agriculture and Forestry (MAF) officials advise that pressure on volunteers in rural areas has increased due to depopulation of some areas, centralisation and the reduction of services, and the devolution of roles from central government to communities, with some rural volunteers near burnout.
47. **Comment:** This analysis is supported by a three year Community Economic Development Action Research (CEDAR) project in Twizel, being carried out by DoL. Volunteer shortages, pressure on volunteers and burnout, have emerged as significant factors affecting that community.
48. In response to concerns that emergency services are facing volunteer recruitment, training and retention problems in many rural areas, *MAF has commenced a research/policy project on rural emergency service volunteers, for completion in mid 2003.*

Young people

49. In the submissions, a commonly expressed view was that the volunteering ethos has declined, particularly in young people, and that this should be addressed via schools. Young people who responded to the project indicated that volunteering is often not

seen as 'cool' or enjoyable. Access to transport and other competing activities such as homework, sport, and paid work can prevent young people from becoming involved.

50. A Christchurch study¹⁰ of youth volunteering found that major motivators for young volunteers were gaining work skills, meeting people, concern for others, and support for a cause. There is no comparable information available specifically on young tangata whenua, Pacific and ethnic peoples' perception of volunteering. The Volunteers project heard that some Pacific young people's attitudes to volunteering may be negatively influenced by their perception that volunteering has a high cost on their families.
51. **Comment:** There are no specific resources developed at a national level for New Zealand teachers to use to encourage youth volunteering. The Ministry of Education suggests, however, that the Health and Physical Education curriculum provides adequate scope to encourage volunteerism through learning opportunities related to participation in creating healthy communities and environments.
52. The 2002 Labour Party manifesto includes a commitment to 'promote youth volunteering and institute a Citizens' Service pilot programme in MSD to enable young people to participate in community-focused projects and be recognised and rewarded for their contribution'. MSD, in consultation with the Ministry of Youth Affairs (MYA), will be developing a Citizens Service proposal in 2002/03. *Officials recommend that MSD and MYA provide advice on future options to enhance youth volunteering in their 2003/04 work programmes, following completion of development work on the Citizens Service proposal.*

Older people

53. General comments were received about the value of volunteering opportunities for older people in enabling them to contribute their expertise and maintain social contacts. A specific issue raised related to superannuitants wishing to volunteer overseas for recognised aid agencies. These volunteers can be eligible to receive superannuation for up to 52 weeks while on placement. Some are seeking an extension of eligibility for up to three years, in keeping with the length of time often required for overseas placements¹¹.
54. **Comment:** The government's Positive Ageing Strategy includes a goal to increase the personal growth and community participation of older people. The Strategy includes actions to encourage the utilisation of the experience and skills of older people, and promote and support volunteer-based organisations. Regarding overseas volunteers, officials estimate that the current provision¹² if extended, would only be used by a very small number of superannuitants each year. *MSD officials are developing advice on the portability of superannuation with a general approach that would improve flexibility of superannuation and encourage migration flows. This would meet the concerns of superannuitants wishing to volunteer overseas beyond 52 weeks.*

¹⁰ Baker, G. & Newbold, G. (1996) *Youthful Volunteers; Patterns of Participation in Youthful Work Volunteering in Christchurch, New Zealand*, Canterbury Volunteer Centre.

¹¹ Assignments with Volunteer Service Abroad are usually for two years.

¹² Section 24 of the Superannuation Act 2001.

Volunteering for disaster relief in Pacific homelands

55. During consultation meetings, some Pacific people raised the issue of whether they could be supported to return to their homeland in the event of a disaster, to assist voluntarily in disaster relief.
56. **Comment:** Stronger links could be established between non-governmental organisations and New Zealand based Pacific people with expertise and knowledge useful in planning and implementing disaster relief. *The Volunteer project's Pacific sub-group will discuss with the Non Government Organisation Disaster Relief Forum (NDRF)¹³ avenues for involving Pacific peoples in disaster response.*

Consultation

57. In addition to community consultation (see Paper One), the government ministries, departments and Crown entities consulted are: Accident Compensation Corporation, Agriculture and Forestry, Archives New Zealand, Child Youth and Family, Civil Defence and Emergency Management, Conservation, Corrections, Courts, Culture and Heritage, Defence, Economic Development, Early Childhood Development, Education, Environment, Fisheries, Foreign Affairs and Trade, Health, Inland Revenue, Internal Affairs (including Office of Ethnic Affairs), Justice, Labour (including New Zealand Immigration Service), Land Transport Safety Authority, Museum of New Zealand Te Papa Tongarewa, New Zealand Police, Pacific Island Affairs, Prime Minister and Cabinet, Social Development (including Office for Senior Citizens), Skill New Zealand, Sport and Recreation New Zealand, Standards New Zealand, State Services Commission, Statistics New Zealand, Te Puni Kōkiri, Transport, Treasury, Women's Affairs, and Youth Affairs.

Financial implications

58. Actions proposed for this year are to be carried out within government agencies' baselines. Actions related to regional seminars on legislation, volunteer training, and youth volunteering are likely to require submissions for further resourcing to be presented and considered as part of the 2003/04 Budget round.

Human rights

59. The proposals need to be assessed for compliance with the New Zealand Bill of Rights Act 1990 and Human Rights Act 1993. Officials from the relevant Ministries leading each proposal may continue to work with officials from the Ministry of Justice in regard to compliance with the NZ Bill of Rights Act. Some of the proposed actions may need to be considered carefully to ensure the right to be free from discrimination is observed. A final view as to whether the proposals comply with both Acts will be possible once the implementation measures have been determined.

Legislative implications

60. This paper notes that current legislative work on the Land Transport Amendment Bill has implications for volunteers. Proposals to further investigate volunteering issues in relation to ACC, liability and insurance, and the tax treatment of honoraria, potentially have legislative implications.

¹³ The NDRF is a group of New Zealand aid and development agencies; it works closely with the Ministry of Foreign Affairs and Trade in response to disasters in the Pacific.

Gender implications

61. Given the higher incidence of voluntary work by Māori women, non-Māori women, and Māori men, it is important that needs of these groups are carefully considered in implementation of actions in this paper.

New Zealand Disability Strategy implications

62. People with disabilities access services provided by volunteers and from community-based organisations that rely on the services of volunteers. People with disabilities also volunteer. Initiatives arising from this project need to be inclusive of the needs of people with disabilities, and where relevant, targeted for disability-related groups and organisations.

Publicity

63. It is proposed that this paper and Paper One be publicly available. It is noted that in Paper One officials recommend that a promotions strategy for the Government Policy on Volunteering be developed by MSD, possibly involving a launch on 5 December 2002, International Volunteers Day.

Recommendations

64. It is recommended that the Cabinet Committee:

1. **note** the range of issues identified following consultation with communities and government agencies about the impact of government legislation, policy and practice on volunteers and volunteering

Protection and good practice

2. **agree** that officials, led by the Ministry of Social Development, provide support to Volunteering New Zealand and other key community sector agencies to develop a community sector-led proposal for national standards in volunteer management
3. **agree** that the Ministry of Social Development scope options for addressing liability and insurance issues affecting volunteers and the organisations in which they work by 25 July 2003
4. **note** that Accident Compensation Corporation will actively inform volunteers and community organisations of their rights and responsibilities in regard to ACC coverage
5. **note** that Department of Labour and Accident Compensation Corporation will consider coverage of volunteers in the context of the next review of the Injury Prevention, Rehabilitation and Compensation Act 2001.

Supporting and enabling volunteering

6. **agree** that Inland Revenue will undertake further work to determine circumstances where honoraria might be treated as reimbursement of expenses and therefore tax-free, by 31 May 2003
7. **note** that the Funding Best Practice toolkit, developed by the Community-Government Relationship Steering Group, encourages government agencies to include volunteer expenses in project costings and service funding
8. **agree** that Ministry of Social Development investigate options for organising and funding regional seminars to provide information on legislation to volunteers, including initiatives specifically aimed at tangata whenua, Pacific and ethnic peoples

9. **agree** that the Ministry of Social Development investigate priorities for further government investment in volunteer training, taking into account other current training initiatives that may impact on the community sector, and the specific needs of tangata whenua, Pacific and ethnic volunteers
10. **note** that the Ministry of Social Development will ensure that volunteering by beneficiaries is valued and supported where it will clearly contribute to the enhancement of clients' skills and work experience
11. **agree** that, following development of a Citizens Service proposal in 2002/03, the Ministry of Social Development and the Ministry of Youth Affairs will explore options to enhance youth volunteering in their 2003/04 work programmes
12. **note** that issues related to the interpretation of volunteer expenses and income, employees who volunteer, rural emergency service volunteers, and superannuitants who volunteer overseas, are being considered within other existing government projects
13. **agree** that the Ministry of Social Development will report to Cabinet by **30 September 2003** on progress on the volunteering policy work programme outlined above.
14. **agree** that both Cabinet papers reporting on the Volunteering and Volunteering Policy Project be made publicly available.