Fact sheet 2h:

Involving young volunteers

While there are legal restrictions on employing young people, they do not in general apply to young volunteers. While it could be argued that organisations should follow employment legislation in this area, there is an argument that the nature of volunteering is different from that of paid work, and therefore there is some discretion that can be used in involving young people in their community.

Employment Law Guidelines for engaging young people as volunteers

[Section 18 of the Children and Young Persons Act 1933](http://www.legislation.gov.uk/ukpga/Geo5/23-24/12) and subsequent amendments limit employment to those aged 14 or over. It states that no child may be employed before 7 am or after 7 pm on any day or for more than two hours on any school day or Sunday. The legislation also requires that children must have a minimum of two consecutive weeks free from work during the school holidays. Most Local Authorities also have by-laws further restricting the work young people may do.

The Children and Young Persons Act 1933 defines employment in the following terms: a person who assists in a trade or occupation carried on for profit shall be deemed to be employed notwithstanding that he receives no reward for his labour. Most local authority by-laws use a similar definition. A word of caution: some local authorities have taken the definition of 'for profit' to include charity shops, requiring the charities to apply for child employment permits in order to carry out volunteering duties.

The working hours restrictions for children apply to volunteering:

A child should not work for more than eight hours or, if s/he is under the age of fifteen years, for more than five hours in any day:

* on which s/he is not required to attend school
* which is not a Sunday
* for more than thirty-five hours or, if s/he is under the age of fifteen years, for more than twenty-five hours in any week in which s/he is not required to attend school
* for more than four hours in any day without a rest break of one hour.

Parental permission

Parental consent should be sought when involving young volunteers. Parental responsibility continues until the age of 18, although the nature and extent of this responsibility is less clear between the ages of 16 and 18. It is therefore important to ensure that both the young person and their parent or guardian fully understand what the voluntary work entails and are provided with clear information about the organisation and the work that the young volunteer will be expected to do. This should include the outline of the task description for the role and of the time commitments, where the work will take place and how it will be supervised.

* [Sample parental permission form](http://www.wcava.org.uk/resource-library/volunteering-and-law)

Health and safety and the duty of care

There is also an enhanced duty of care towards young volunteers, reflecting their relative immaturity. Risk assessments cannot take responsible behaviour for granted, so young volunteers are likely to require increased supervision and more explicit instructions. Special consideration therefore needs to be given to the health and welfare of young volunteers.

Under health and safety legislation, risk assessments specific to the individual must be carried out before a young person under 18 can be employed. Although this requirement does not apply to young volunteers, we recommend that risk assessments are created for every young volunteer and a copy is given to the parent/caregiver.

* [Sample risk assessment for young person](http://www.wcava.org.uk/resource-library/volunteering-and-law)

Safeguarding

Charities looking to engage young volunteers should put child protection policies in place. Their exact nature will depend on the work of the organisation, but they should set out adequate safeguards around day to day working practices, routes for complaints to be raised, procedures to deal with any such problems, and recruitment procedures for staff working with young volunteers. Organisations should also be aware that staff 'caring for, training, supervising or being in sole charge of children' as part of their normal duties are in 'regulated positions'. It is therefore important that Disclosure and Barring Service clearance is obtained for staff working with young volunteers. For more information please see our fact sheet on DBS checking volunteers.

* [Sample safeguarding policy](https://drive.google.com/open?id=13hj597srVz4EfXbSr-y0C3W_r5cx5bSk)
* [Sample safeguarding flowchart](https://drive.google.com/open?id=13iYsLoVf5zFz1oHqPd79qEUf5YlsIKJB)
* [Volunteers and DBS checking](https://drive.google.com/open?id=0BxM5UHfVB7YWX3ZPaFM5UG5qd1U)

For more information

On our website: [www.wcava.org.uk/safeguarding/resource-library](http://www.wcava.org.uk/safeguarding/resource-library)

[**National Society of Prevention of Cruelty to Children**](http://www.nspcc.org.uk)  ⬥ www.nspcc.org.uk

* [NSPCC Safeguarding guidance](http://www.nspcc.org.uk/preventing-abuse/safeguarding/)

[**Warwickshire Safeguarding Board**](http://www.warwickshire.gov.uk/wscbresources) ⬥ www.warwickshire.gov.uk/wscb

* [Safeguarding resources](http://www.warwickshire.gov.uk/wscbresources)

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