Fact sheet 2i: Volunteers from overseas

European Economic Area

The rules concerning which people from overseas can volunteer are complex and sometimes confusing. There are no restrictions on volunteering by people from the European Economic Area (Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and the UK) Switzerland is not a member of the EEA but is treated as an EEA country for certain benefits.

[Brexit and volunteering](https://www.ncvo.org.uk/help-and-guidance/involving-volunteers/recruiting-and-welcoming-volunteers/#/)

The UK left the EU with a deal on 31 January 2020 and is now in a transition period until at the earliest 31 December 2020. During this transition period, freedom of movement will remain in place, so EU/EEA nationals will continue to be able to freely move to the UK to live, work and/or volunteer. After the transition period, EU nationals will still be able to volunteer in the UK if they have one of the following.

* [Settled or pre-settled status](https://www.gov.uk/settled-status-eu-citizens-families)
* A visa which doesn’t prevent them from volunteering
* Enrolment in any EU funded volunteering programme with a placement in the UK, such as [Erasmus](https://ec.europa.eu/programmes/erasmus-plus/node_en) + or the [European Solidarity Corps](https://europa.eu/youth/solidarity_en)

Non-European Economic Area

Individuals from outside the European Economic Area are not allowed to take up work, paid or unpaid (which includes volunteering), without a visa. Amendments to immigration laws introduced on the 6th April 2015 allows visitors to undertake volunteering provided the volunteering is not the main purpose of the visit, and it is for a registered charity/organisation and will be no longer than 30 days in total.

Students from overseas

Students from outside the European Economic Area no longer need permission to take part-time or holiday work, including volunteering. Some restrictions remain in place, including a limit of 20 hours per week during term time, unless the college agrees otherwise. However, always check that the visa is correct.

Refugees

People who have refugee status or who have exceptional leave to remain in the UK and their family members are allowed to do any type of work including voluntary work. They will have a National Insurance number and be permitted to work at any skill level.

Asylum seekers

Many people seeking asylum want to use their skills and contribute something to the society in which they wish to live. Recent changes to asylum rules have made this easier.

Since April 2014, asylum seekers (people in the process of applying for refugee status) and family members are allowed to volunteer. This includes while they are appealing against a decision to refuse them asylum.

The new Home Office guidance confirms that individuals claiming asylum, including refused asylum seekers, can now continue to volunteer across the public sector, in schools, hospitals and for local council run services such as libraries, leisure centres and parks as well as charitable organisations and they can be reimbursed normal

volunteer expenses.

Care should be taken to ensure that any activity undertaken by an asylum seeker is genuine volunteering, and does not amount to either employment or job substitution.

Human Rights Act

[The Human Rights Act 1998](http://www.legislation.gov.uk/ukpga/1998/42/contents) came into force in 2000. It brings most rights from the [European Convention on Human Rights (ECHR)](http://www.echr.coe.int/Documents/Convention_ENG.pdf) directly into British law. Previously, British citizens wishing to assert ECHR rights had to take a case to the European Court of Human Rights. When the Act was drafted there was some speculation in the volunteering sector that it could give new rights to volunteers. Some people believed that the Act would offer volunteers protection from discrimination. In fact, there is little in the Act which would affect volunteers one way or the other.

**For more information**

View [Knowhow Nonprofit’s detailed information sheet](https://knowhownonprofit.org/people/volunteers/recruiting/volunteers-from-overseas) that covers:

* How the distinction between volunteering and voluntary work can affect migrant volunteers
* Right to work checks
* Volunteering and non-EEA citizens’ visas.

[National Council for Voluntary Organisations (NCVO)](http://www.ncvo.org.uk)

NCVO champions the voluntary sector and volunteering across Britain by connecting, representing and supporting voluntary organisations. It has a reputation as an authoritative voice for the sector.

* [www.ncvo.org.uk](https://www.ncvo.org.uk/) Phone: 020 7713 6161 Email: ncvo@ncvo.org.uk

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