

Introduction to Volunteer Risk Management

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A strategy for identifying and responding to volunteer risk management issues at Catholic nonprofit organizations

Executive Summary

- Exercising prudence and stewardship in the area of volunteer work is not optional; precautions are necessary and will benefit the religious nonprofits in more ways than one.
- Apostolates should adopt a simple but structured volunteer management program to protect program participants and minimize the risks of liability and reputational damage.
- The volunteer management program should include the following elements: identifying, screening, informing, educating, and supervising.
- An effective program starts by identifying volunteers through a registration form or volunteer application process.
- Organizations should appropriately screen volunteers, particularly those with high levels of responsibility or roles in risky areas.
- Most Catholic dioceses have trainings and resources in these areas – consult those resources and comply.
- A volunteer management program should inform volunteers through written documents about the risks, responsibilities, and expectations of volunteers.
- Written policies should be supplemented with dynamic trainings.
- In some cases, volunteers should be supervised by an employee or specially trained volunteer.
- Even the most careful organizations cannot prevent bad things from happening, so obtaining suitable insurance for the organization is an important complement to the volunteer management program.

Introduction

Volunteers are the cornerstone of many Catholic lay apostolates. Often volunteers have as much or more influence and responsibility as full-time employees.

Unlike the formal hiring programs used with employees, most volunteer programs are informal, evolving organically according to the organization's needs.

Unfortunately, an approach which is too informal leaves the apostolate and its participants at high risk.

Apostolates should adopt a simple but structured volunteer management program to protect program participants and minimize the risks of liability and reputational damage.

How a Volunteer Risk Management Program Benefits an Apostolate

No organization wants to create a barrier to entry for the volunteers who give needed services and time to the organization. However, a volunteer management program need not be burdensome.

Moreover, a well-executed volunteer management program can positively impact a nonprofit's bottom line. Donors and grantmaking foundations are generally more interested in giving to organizations with a demonstrated commitment to integrity and stewardship than to organizations which have neglected to address a critical area of risk.

A well-run volunteer management program also increases volunteers' commitment to the mission of the organization and respect for its operations. Somewhere between sixty-six (66%) and eighty-seven (87%) percent of volunteers give both time and money to organizations they believe in.¹ A thoughtful and effective program encourages volunteers to continue to their involvement and lets them know that any financial gifts they contribute will be handled prudently.

¹ <https://www.fidelitycharitable.org/content/dam/fc-public/docs/insights/volunteering-and-philanthropy.pdf>.

In addition to financial and reputational considerations, state law often imposes duties on the Board of Directors to be careful and reasonable in their oversight of the organization. These oversight duties include implementing reasonable measures to manage risks associated with volunteers. For example, state charitable trust laws often require reasonable efforts to avoid misappropriation of charitable assets. Similarly, at organizations in which volunteers work with vulnerable populations, most states require mandatory reporting programs and certain screenings. The board should ensure reasonable measures are taken to appropriately train and screen volunteers working with these program participants.

Exercising prudence and stewardship in the area of volunteer work is not optional; precautions are necessary and will benefit the organization in more ways than one.

Where to Start

Knowing that using volunteers comes with risk, how should nonprofit schools, programs, and other organizations take action?

Organizations should develop a volunteer management program which includes the following elements: identifying, screening, informing, educating, and supervising.

Identify

An effective program starts by identifying volunteers – the people to whom the program applies.

This concept may sound obvious, but, in operation, the leaders of many organizations do not know exactly who is volunteering and when.

To identify volunteers, an organization can start with a simple sign-up sheet but should build an application that collects fundamental information about the volunteers. The application can be distributed online and also made available on site. Many organizations such as schools and children's programs have a reception area where visitors, including volunteers, are required to show ID, sign in, and receive a pass. This point of contact can be another effective way to identify volunteers.

Identifying volunteers can be a simple and common-sense process. The key is for the organization to determine which approach works best for the organization's activities and to act to implement an approach that collects relevant information.

Screen and Confirm

Once an organization has identified its volunteers, the organization should confirm the qualifications of the volunteers who have high levels of responsibility or roles in risky areas such as working with vulnerable populations, assisting in transportation, etc.

As discussed, while volunteers may carry a burden of responsibility comparable to that of employees, too often little diligence is done before the volunteers receive access to risky areas of a nonprofit's operations. Sometimes the only qualification needed to receive access to program constituents, financial records, and other vulnerable areas is the volunteer's willingness to complete the project. This approach places the organization and its participants at risk.

Organizations should implement a suitable and tailored screening program to ensure, in particular, that volunteers will not put constituents at risk, but also to minimize risks of other types of misconduct.

What level of screening is appropriate will depend on the organization's mission and the volunteer's level of responsibility.

Organizations may wish to identify key areas of responsibility and tailor the screening for each level. For example, volunteers who will be supervising vulnerable populations require a more extensive screening than volunteers who will be setting up for an event.

In 1998, the United States Department of Justice issued a guide on best practices for screening volunteers who work with vulnerable populations.² Some states, such as Pennsylvania, require these screenings.³ Take advantage of these public resources to become familiar with these best practices and the requirements of state law.

For volunteers who will have financial responsibility and access, character references and screenings related to financial misconduct are appropriate.

Some states offer criminal background and child abuse screenings free of cost for volunteers. In states without this option, organizations who wish to give certain volunteers high levels of responsibility may consider using a commercial background

² Guidelines for the Screening of Persons Working With Children, the Elderly, and Individuals With Disabilities in Need of Support,

<https://www.ncjrs.gov/pdffiles/167248.pdf>

³ <http://www.keepkidssafe.pa.gov/resources/clearances/index.htm>;

http://www.keepkidssafe.pa.gov/cs/groups/webcontent/documents/document/C_135249.pdf;

check service as part the diligence in working with the volunteer. A number of such services are available online and are relatively affordable. In either event, for many organizations these expenses are necessary. Often, volunteers will be happy to pay the nominal fees to undergo screening and so help the organization that much more.

An appropriate screening process requires time and attention but it is a critical foundation for limiting risks associated with using volunteers to advance the mission of your organization.

Work with Diocese

Partnering with the local diocese is another helpful measure in these efforts for Catholic organizations. Many dioceses have screenings and trainings already in place, particularly with respect to protecting children. In some dioceses, these trainings are required for volunteers at Catholic organizations.⁴

Inform

Once they are identified and screened, volunteers should learn about the organization and the procedures and policies the volunteers should follow. The written documents should be developed with the assistance of legal counsel experienced in the jurisdiction in which the activities will take place.

Key documents for a volunteer management program include a volunteer agreement, a code of conduct, and a volunteer handbook.

Volunteer Agreement

The volunteer agreement should be reviewed and signed by the volunteer, preferably in advance of her or his work for the organization. A copy of the signed agreement should be kept in the organization's records. The agreement should state the risks which the volunteer may face as a result of his or her volunteer work.⁵ The agreement should also clearly state the organization's expectations for the volunteer. For example, volunteers at a children's organization should not use controlled substances or alcohol on the premises or prior to their volunteer work.

⁴ See for example, <https://protect.archchicago.org/offices-and-services/safe-environment-office/protecting-gods-children-for-adults>.

⁵ For an example of a volunteer agreement, see <https://www.unlv.edu/sites/default/files/24/HR-Forms-VolunteerAgreement.pdf>.

Code of Conduct

The code of conduct should be a simple statement of the organization's principles including its religious commitments and expectations of volunteers. The code of conduct may include standard language, as well as special relevant considerations.⁶

Volunteer Handbook

The volunteer handbook should build on the code of conduct with more practical detail. The handbook can include emergency response plans, as well as contact information for volunteers who have concerns to report.⁷ The handbook can also include practical details such as which doors to enter, where to go to get keys to open the facilities, and what to wear to key events.

Implementation

Volunteers should review, sign, and return all three of these documents. Copies of the signature pages should be kept in the apostolate's corporate records.

With all these documents, reflecting actual practice, rather than an aspirational standard is critical. Legally, not having a policy is generally better than having a policy that the organization ignores or abridges in practice.

Once the initial documents are created, an organization should revisit them periodically, to make sure that the documents continue to reflect actual practice as the organization expands and evolves.

Volunteer agreements also present an opportunity to obtain authorization to use photographs of volunteers in action and a release of liability from the volunteer in the event that a volunteer is injured while volunteering.

⁶ An example Catholic volunteer Code of Conduct can be viewed here: <https://adw.org/wp-content/uploads/sites/2/2019/04/CodeofConduct-Final-7-6-2016.pdf>

⁷ For an example Catholic volunteer handbook, see <https://www.catholiccharitiesdc.org/wp-content/uploads/2018/05/Volunteer-Handbook-2018.pdf>.

Educate

Writing policies and distributing them is a first step. The next phase is to actively educate volunteers on these policies. Effective volunteer education is not merely a one-time event, but rather the result of a culture which promotes ongoing volunteer training and engagement. Nonprofits can conduct volunteer education through a variety of methods and mediums including volunteer orientation, in-person trainings, one on one meetings, or online trainings.⁸

The key is for the policies not to sit on a shelf, but rather for them to have a dynamic role in the volunteers' understandings of their role and of the culture and customs of the organization.

Supervise

In organizations which work with high risk areas, such as programs for vulnerable populations, or which have a large volunteer force, having a designated supervisor present during volunteer periods is also an important risk management measure.

The supervisor can answer practical questions and also observe the programs to highlight any concerning developments.

Supervisors can be full-time employees or perhaps experienced volunteers who have completed higher-level screenings than new or single-event volunteers.

Prepare

Even the most careful organizations cannot prevent bad things from happening. Accordingly, in addition to working to prevent misconduct and misfortune, it is also wise to prepare by obtaining appropriate insurance coverage.

Standard Workers' Compensation policies do **not** cover volunteers. General Liability policies typically **do** cover claims by third parties against a nonprofit for injuries resulting from the activities of a volunteer; however, a volunteer's own injuries or claims against the nonprofit are **not** covered. Fortunately, a variety of insurance products have been developed to address the unique needs of organizations working with volunteers. For example, there are volunteer insurance policies, event-specific insurance policies, and director and office liability policies.

⁸ An example volunteer training program can be viewed here: <https://www.northflorida.va.gov/NORTHFLORIDA/files/V-508CLEAN-VoluntaryOrientation.pdf>

To highlight two innovative products – event insurance is useful for organizations which have a major event, with increased attendance and volunteer presence, during the year. Volunteer insurance is helpful for groups such as soup kitchens and thrift stores which regularly engage volunteers.

Conclusion

Working with volunteers is an important but risky area of nonprofit operations. A simple but effective volunteer management program protects both an organization and the populations it serves. Key elements in a volunteer risk management program include: identifying, screening, informing, educating, and supervising. Proper insurance can complement these risk management efforts to prepare the organization for a variety of outcomes. By building and maintaining a strong volunteer management program, organizations can confidently proceed with their activities and services to those in need.

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