

Volunteer Workers policy

Aims

To explain the legal rights of volunteer school workers

Implementation

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

Definitions

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

School work -

- 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 as 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" program and "Community Work" programs 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 fulfill their recipient obligations are not covered by an Australian Government insurance scheme. Schools may however accept this group of Centrelink benefit recipients to work as volunteers in Victorian government schools and note that they are insured by the Department.

Compensation

Personal Injury- Volunteer school workers are covered by the Department's Workers Compensation policy if they suffer personal injury in the course of engaging in school work.

Property damage- If a volunteer school worker suffers damage to their 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:

Legal Division
People and Executive Services Group
Department of Education and Training
2 Treasury Place
East Melbourne 3002

Related policies

- [Fetes](#)
- [Negligence Claims Process](#)
- [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
- *Workplace Injury Rehabilitation and Compensation Act 2013*
- *Wrongs Act 1958* – section 37(1)

Department resources

- [Volunteer Workers and Working Bees](#)

Ratified at School council 17th May 2017