



<b>Policy Number:</b>	<b>ML 1.31</b>	<b>Date:</b>	28 <sup>th</sup> May 2019
		<b>Approved by:</b>	Board of Management
<b>Version:</b>	1/2019	<b>Scheduled review date:</b>	1 <sup>st</sup> July 2020

---

## 1. Statement of Context and Purpose

- 1.1 Melbourne Legacy highly values Legatees and Volunteers as individuals who choose to contribute their valuable skills and time to enrich Melbourne Legacy and its activities.
  - 1.2 Melbourne Legacy recognises that Volunteering contributes to the vibrancy and vitality of Melbourne Legacy life and in meeting its goals and objectives.
  - 1.3 This policy outlines Melbourne Legacy’s commitment to making sure it’s Legatees and Volunteers are encouraged and supported and their contribution is acknowledged and valued.
  - 1.4 It sets out the requirements for recruitment, induction and management of Volunteers to comply with relevant legislative and policy obligations.
  - 1.5 It provides Melbourne Legacy and the people who Volunteer their services to Melbourne Legacy with an understanding of their obligations and responsibilities towards each other.
- 

## 2. Scope

- 2.1 This policy applies to all Volunteers (including Legatees) who provide services or expertise to Melbourne Legacy except in the following areas:
    - Governing council and/or management committees; and
    - People on work placement or work experience programs.
  - 2.2 This policy should be considered a reasonable direction to Volunteers. As such all Volunteers (including Legatees) are expected to abide by this policy and report any suspected or known breaches of this policy.
- 

## 3. Related Documents

- 3.1 External Documents
    - (a) Fair Work Act 2009 (Cth)
    - (b) Children, Youth and Families Act 2005 (Vic)
    - (c) Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015 (Vic)
    - (d) Children’s Services Act 1996 (Vic)
    - (e) Children’s Services Regulations 2009 (Vic)
    - (f) Crimes Act 1958 (Vic)
-

- (g) Charter of Human Rights and Responsibilities Act 2006 (Vic)
- (h) Privacy Act 1998 (Cth)
- (i) Informational Privacy Act 2000 (Vic)
- (j) Health Records Act 2001 (Vic)
- (k) Child Safe Standards, Victorian Government (DHS) 2015
- (l) Work Experience Guidelines for Employers, Victorian Department of Education and Early Childhood Development (DEECD) 2014
- (m) 'National Framework for Protecting Australian's Children'
- (n) 'Protecting the Safety and Wellbeing of Children and Young People'
- (o) DHS Child Safe Standards Toolkit: Resource 2: Child Safe Policy and Statement of Commitment
- (p) DHS Child Safe Standards Toolkit: Resource 6: What to do when an allegation of child abuse is made
- (q) Incident Report Form

### 3.2 Internal Documents

Policies and Procedures:

- (a) Melbourne Legacy Beneficiary and Child Safety Policy – ML 1.24
- (b) Melbourne Legacy Mandatory Reporting Policy – ML1.25
- (c) Melbourne Legacy Reportable Conduct Policy – ML1.23
- (d) Melbourne Legacy Code of Conduct Policy – ML1.30 (Annex A and B)
- (e) Melbourne Legacy Working with Children Check Policy – ML1.26
- (f) Melbourne Legacy Police Record Check Policy – ML1.20
- (g) Melbourne Legacy Grievance Handling Policy – ML1.3
- (h) Melbourne Legacy Work Health and Safety Policy – ML1.10
- (i) Melbourne Legacy Injury Management Policy – ML1.16
- (j) Melbourne Legacy Whistleblower Policy – ML1.23.
- (k) Melbourne Legacy Workplace Behaviours Policy – ML1.11
- (l) Melbourne Legacy Privacy Policy – ML1.5

---

## 4. Definitions

- 4.1 **Child** means a person who is under the age of 18 years who is a beneficiary or involved or in receipt of support or services provided by Melbourne Legacy.
- 4.2 **Child-connected work** means work authorised by Melbourne Legacy and performed by an adult in the Melbourne Legacy environment while children are present or reasonably expected to be present. This contact may form:
  - (a) Face to face contact;
  - (b) Contact by post or other written communication;
  - (c) Contact by telephone or other oral communication; or
  - (d) Contact by email or other electronic communication.
- 4.3 **Child safety** encompasses matters related to protecting all children from child abuse, managing the risk of child abuse, providing support to a child at risk of child abuse, and responding to incidents or allegations of child abuse.
- 4.4 **Designated staff member** means the Melbourne Legacy staff member who is responsible for the engagement, induction and oversight of the Volunteer and the work they undertake.

- 4.5 **Legacy** means Legacy Australia Inc. and the 49 Legacy Clubs.
- 4.6 **Legacy Representatives** are employees, Legatees, contractors, or volunteers engaged to officially represent Legacy in the delivery of Legacy services and/or benefits.
- 4.7 **Legacy Beneficiaries** are those enrolled with Legacy and who are entitled to receive Legacy benefits.
- 4.8 **Legatee** means a member of Legacy, noting the title is used to distinguish these longstanding Melbourne Legacy custodians, often returned service personnel, from other Volunteers.
- 4.9 **Reportable Conduct** means:
- (a) a sexual offence committed against, with, or in the presence of a child, whether or not a criminal proceeding has commenced or concluded in relation to the offence; or
  - (b) sexual misconduct committed against, with, or in the presence of a child; or
  - (c) physical violence committed against, with, or in the presence of a child; or
  - (d) any behaviour that causes significant emotional or psychological harm to a child; or
  - (e) Significant neglect of a child.
- 4.10 **Volunteer** means a person who is registered with Melbourne Legacy and has approval from the relevant Melbourne Legacy staff member to undertake activities in designated Volunteer positions, without coercion and for no financial reward, except reimbursement for approved out of pocket expenses.
- 4.11 **Vulnerable Person** means any individual who is or may be unable to take care of themselves or is unable to protect themselves against harm or exploitation by reason of age, illness, trauma or disability, or any other reason.
- 

## 5. Melbourne Legacy's Commitment

- 5.1 Legatees and Volunteers will be provided with induction and any training necessary and relevant to their role as a Volunteer and the tasks they undertake.
- 5.2 Legatees and Volunteers are treated fairly and respectfully and are valued as a contributing member of the Melbourne Legacy community.
- 5.3 That each Volunteer has a clearly identified staff member who is responsible and available for day to day support and guidance of the Volunteer within the area of Melbourne Legacy where they Volunteer.
- 5.4 All Legatees and Volunteers are required to have a current, valid Working with Children Check (WWCC) and police check as relevant to their Volunteering role.
- 5.5 If the person Volunteering does not have a current police or WWCC, Melbourne Legacy will, at its expense, conduct the necessary check.
- 

## 6. Rights of Melbourne Legacy

- 6.1 Melbourne Legacy has the right to both refuse a Volunteer or Legatee's offer of service or to end a placement if:
- (a) There is a perceived risk to Melbourne Legacy, the nominated activity / program, or to a Legatee's or Volunteer's health or welfare.
  - (b) The nominated activity / program has ceased.
  - (c) The Volunteer or Legatee is not suited to the task or duties to be undertaken. For Legatees, this will be determined in accordance with the Rules of the Melbourne Legacy Club.
  - (d) The desired duties are not available.
  - (e) The activity / program is being adversely affected by the behaviour or performance of the Volunteer or Legatee. For Legatees, this will be determined in accordance with the Rules of the Melbourne Legacy Club.
  - (f) The Legatee or Volunteer does not comply with the requirements set out in this policy.
  - (g) The Volunteer does not comply with the requirements of Melbourne Legacy's policies and procedures. For Legatees, the overriding principles for engagement are contained within the Rules of the Melbourne Legacy Club.
  - (h) The Legatee or Volunteer does not comply with their role or requirements of the Volunteering assignment. For Legatees, this will be determined in accordance with the Rules of the Melbourne Legacy Club.
  - (i) The Legatee or Volunteer provides an unsatisfactory criminal / legal check.
  - (j) The Legatee or Volunteer does not comply with any reasonable request for personal information (.eg. name, address, personal and emergency contact details, criminal / legal check).
- 

## **7. Responsibilities of the Legatee or Volunteer**

- 7.1 Abide by all relevant Melbourne Legacy policies and procedures, including but not limited to the Melbourne Legacy Beneficiary and Child Safety Policy, Workplace Behaviours and Work, Health and Safety policies.
- 7.2 Performing the duties defined within their Legatee or Volunteer role or as reasonably instructed.
- 7.3 Attending to their duties and perform tasks appropriately while promoting a positive image of Melbourne Legacy.
- 7.4 Participating in induction and mandatory training (as required).
- 7.5 Notify their designated staff member of any factors that may impede their ability to perform their duties in an appropriate and safe manner.
- 7.6 Protecting their own safety and the safety of others.
- 7.7 Reporting any unsafe working conditions/potential hazards to a designated staff member.
- 7.8 Reporting any injury/damage to themselves or a third party to their designated staff member.
- 7.9 Maintaining confidentiality regarding Melbourne Legacy business, program information or any other sensitive, private information they come across during their Legatee or Volunteer duties.

- 7.10 Not incurring any expense or liability on behalf of Melbourne Legacy, except for pre-approved expenses, in which case the Legatee or Volunteer will be able to claim reimbursement.
- 

## **8. Rights of the Legatee or Volunteer**

- 8.1 Melbourne Legacy recognises the following as the rights of Legatees or Volunteers:
- (a) Be asked for their permission before any job-related reference or criminal screening is undertaken.
  - (b) To be treated fairly and respectfully and be valued as an important member of the team.
  - (c) To be able to pro-actively seek rewarding volunteer experiences.
  - (d) To be valued for your contribution.
  - (e) To receive on-going support and direction.
  - (f) To work in a healthy and safe environment.
  - (g) To have complaints or grievances heard in accordance with the Melbourne Legacy Grievance Handling Policy.
  - (h) Be allocated suitable tasks.
  - (i) To have their ideas welcomed and acknowledged by the designated staff member and other staff.
  - (j) To be able to decline or withdraw from work if it is not suitable or is placing excessive demands on the Legatee or Volunteer.
- 8.2 When determining if there is an opportunity to engage Legatees or Volunteers in a Melbourne Legacy activity, consideration must be given to:
- (a) The level of skill, reliability, responsibility and accountability required.
  - (b) The provision of voluntary services extending or supporting the work of paid employees.
  - (c) The provision of volunteer services on an intermittent or limited time basis, unlike paid employment which demands day-to-day continuity.
  - (d) Limiting the Legatee's or Volunteer's responsibilities to specific tasks, unlike paid employment which can include responsibility for the day-to-day operation and/or management of Melbourne Legacy.
  - (e) The Legatee' or Volunteer's work not including responsibility for other employees.
- 

## **9. Procedure for engaging Volunteers and Legatees**

- 9.1 The following guidelines should be followed when engaging Legatees or Volunteers at Melbourne Legacy.
- (a) Each area is required to establish their own selection process for Volunteers that best meet their needs.
  - (b) Selection of Legatees will be in line with Melbourne Legacy Club Rules.
  - (c) A Legatee or Volunteer must not perform any work until all required checks have been undertaken.
  - (d) A Volunteer will not perform any work until he/she has completed, signed and returned the Volunteer Details Form.
  - (e) The designated staff member is responsible for inducting and training Volunteers in their specific area.
  - (f) Responsibility for inducting and training of Legatees will be in line with Melbourne Legacy Club Rules.
-

## 9.2 Refer Attachments

- *Volunteer Information Document;*
  - *Volunteer Rights and Responsibilities; and*
  - *Volunteer Details form.*
- 

## 10. Policy Review

- 10.1 Melbourne Legacy may make changes to this Policy at any time and will inform Legatees, Volunteers and staff accordingly.
- 

## 11. Authorisation

Approved by:

**Melbourne Legacy Board of Management**

Date: 28 / 05 / 2019

---

Refer to [Volunteer Policy ML1.31 – Information and Forms](#) for printable copies of the **Volunteering Information and Agreement**.

Volunteering at Melbourne Legacy – Information and Agreement Document

## Volunteering at Melbourne Legacy

Thank-you for expressing an interest in Volunteering at Melbourne Legacy

Volunteers play an integral part in supporting the work of Melbourne Legacy and enrich the lives of beneficiaries including young people.

Melbourne Legacy values the work undertaken by Volunteers. We aim to ensure that Melbourne Legacy provides a rewarding experience for them, where each person's contribution is valued and their every action makes a disproportionate difference to the lives of beneficiary families.

This document outlines Melbourne Legacy's commitment to making sure its Volunteers are supported and are made aware of the expected standards of behavior when involved in activities at Melbourne Legacy. In particular it provides important information relating to Child Safety, Work, Health & Safety and general Melbourne Legacy operational matters.

In addition to reading and understanding the information provided in this document, we also ask that you complete the attached Volunteer Details Form. Please read and sign the Volunteer Details Form indicating your intent to follow the guidelines when volunteering at Melbourne Legacy. This form is to be updated on an annual basis.

In completing and signing the Volunteer Details Form you also acknowledge that:

1. Your participation is entirely voluntary and you are not considered an employee.
2. You agree that we cannot be compelled to provide regular work or benefit for any activity undertaken.
3. You understand your rights and responsibilities as a Volunteer as outlined in the information document.

If you have any queries regarding this process, please contact the Deputy CEO.

# Volunteering at Melbourne Legacy – Rights and Responsibilities

## Your responsibilities as a Volunteer

- Abide by all relevant Melbourne Legacy policies and procedures, including but not limited to the Melbourne Legacy Beneficiary and Child Safety, Workplace Behaviours, Health & Safety policies. For Legatees, this is inclusive of the Rules of the Melbourne Legacy Club.
- Performing the duties defined within your Volunteer role or as reasonably instructed.
- Attending to your duties and perform tasks appropriately while promoting a positive image of Melbourne Legacy.
- Participating in induction and mandatory training (if required).
- Notify your designated staff member of any factors that may impede your ability to perform your duties in an appropriate and safe manner.
- Protecting your own safety and the safety of others.
- Reporting any unsafe working conditions / potential hazards to your designated staff member.
- Reporting any injury / damage to themselves or a third party to your designated staff member.
- Maintaining confidentiality regarding Melbourne Legacy business, program information or any other sensitive, private information you come across during their Volunteer duties.
- Not incurring any liability or expense on behalf of Melbourne Legacy, except for claiming reimbursement for pre-approved out of pocket expenses.

## Your rights as a Volunteer

Melbourne Legacy recognises the following as the rights of Volunteers:

- Be asked for your permission before any job-related reference or criminal history screening is undertaken.
- To be treated fairly and respectfully and be valued as an important member of the team.
- To receive on-going support and direction.
- To be able to pro-actively seek rewarding volunteer experiences.
- To be valued for your contribution.
- To work in a healthy and safe environment.
- To have complaints or grievances heard in accordance with the Melbourne Legacy Grievance Handling Policy.
- Be allocated suitable tasks.
- To have your ideas welcomed and acknowledged by the designated staff member and other staff.
- To be able to decline or withdraw from work if it is not suitable or is placing excessive demands on you.

Following is important information regarding Child Protection, Work, Health & Safety and our Melbourne Legacy expectations / guidelines for Volunteers.

## Child Safety

As part of our commitment to the care, wellbeing and protection of our beneficiary families and in line with our Beneficiary and Child Safety Policy, Volunteers are required to undergo legal checks prior to commencing a Volunteering assignment at Melbourne Legacy. In the event that a Volunteer refuses to undergo any such checks, Melbourne Legacy reserves the right to cease the Volunteer's assignment without notice.



If you already have a current WWCC check and police check, please provide Melbourne Legacy with a copy for our records.

To ensure that Volunteers are provided with an appropriate induction and are aware of their child safety responsibilities, you may be required to undertake induction, including in relation to Child Safety.

Volunteers must take action if children and young people disclose information about inappropriate behaviours of other adults in Melbourne Legacy. It is important not to minimise, ignore or delay responding to such information. For the wellbeing of all members of our community, the CEO must be informed as a matter of urgency and a report made to the authorities, if appropriate.

Please read and familiarise yourself with the attached Melbourne Legacy Beneficiary and Child Safety Policy. This policy clearly outlines the expectations of Volunteers at Melbourne Legacy in relation to Child Safety and it is expected that all Volunteers will comply with this policy.

**Physical Contact** - below are a number of recommendations regarding contact with children and other vulnerable people:

- Seek children and young people's permission to touch (keeping in mind that a highly distressed child or young person may be incapable of expressing their wishes).
- Avoid being with a child or young person in a one-to-one, out of sight situation, and never touch a child or young person in such a situation.
- Do not presume that physical contact is acceptable to a particular child or young person. Even non-intrusive touch may be inappropriate if a child or young person indicates he/she does not wish to be touched.
- Respect and respond to signs that a child or young person is uncomfortable with touch.
- Use verbal directions rather than touch (.eg. ask a child or young person to move in a particular way, rather than physically place the child or young person in the required position).
- In some circumstances, you may need to discourage younger children from inappropriate expectations of hugs or cuddles. This should be done gently and without embarrassment or offence to the child.

Wherever possible, Legatees and Volunteers are not to work alone, or out of line of sight, with children or vulnerable people. When working one-to-one with children and vulnerable people; make it public (the more visible, public and busy the location the better) and make it authorised (activity must be an authorised activity).

## **Work, Health & Safety**

Melbourne Legacy and its Officers are committed to taking all reasonable steps to provide a duty of care to all employees, beneficiaries, Legatees, Volunteers, contractors and visitors aimed at keeping them free from injury and ill health.

There are legal obligations or duties for everyone in the workplace in relation to Work Health & Safety.

Legislation requires Melbourne Legacy to provide and maintain, so far as is reasonably practicable:

- a work environment that is safe and without risks to health;
- safe plant and structures; and
- safe systems of work.

Health and safety legislation states that **workers and other persons** at the workplace must:

- take reasonable care for his or her own health and safety; and
- take reasonable care that his or her acts or omissions do not adversely affect the health and safety of other persons; and
- comply, so far as the worker is reasonably able, with any reasonable instruction that is given by the person conducting the business or undertaking to allow the person to comply with regulation; and
- co-operate with any reasonable policy or procedure of the person conducting the business or undertaking relating to health or safety at the workplace that has been notified to workers.

Should you become aware of a situation that might give rise to someone injuring themselves, please report this to the Deputy CEO.

**Accident, Hazard and Incident Reporting** - Volunteers are responsible for reporting any accident / incident within 24 hours of occurrence (if practicable). Details should be given to the Deputy CEO.

**Alcohol and Drugs** - At no time are drugs to be brought onto Melbourne Legacy grounds unless prescribed by a qualified medical practitioner. Consumption of alcohol, or being under the influence of alcohol, is prohibited when persons are Volunteering at any Melbourne Legacy activity, except for social functions, in which case Legatees and Volunteers are expected to limit consumption to reasonable amounts and to avoid driving to and from such events.

**Emergency Procedures** - an important part of keeping everybody safe at Melbourne Legacy is ensuring everyone knows what to do if there is an emergency situation in their area.

Upon becoming aware of an emergency situation, please let a staff member know. Should any alarm activate, please comply with directions of the fire warden.

**First Aid** - If you sustain an injury whilst Volunteering at Melbourne Legacy or are feeling unwell, please notify the Deputy CEO.

**Ladders** - It is strictly prohibited for a Volunteer to stand on a desk, chair, etc, to hang or reach any item. Sufficient supplies of safe and specially designed step ladders have been provided in all areas of Melbourne Legacy to assist in reaching high or difficult areas. If you require the use of a ladder, please speak with the Deputy CEO.

**Smoking** - it is the policy of Melbourne Legacy that all Melbourne Legacy's buildings and off-site activities will be tobacco (including cigarette, pipe & cigar etc.) smoke free environments at all times.

## Operational Matters

**ID Card** - Volunteers may be provided with a Volunteers' ID card on a lanyard that they are requested to wear whilst Volunteering at Melbourne Legacy (all Legatees will be provided with an ID card which must be visible when visiting beneficiaries).

**Housekeeping** - Volunteers must regularly clean up their work areas and dispose of all waste and rubbish, removing surplus materials and equipment no longer required for the job.

**Personal Items** - Volunteers are responsible for the care of their own personal items.

**Workplace signs** - It is important that you familiarise yourself with these signs and always obey them.

## Breaches of your Responsibilities

In your capacity as a Volunteer (excluding Legatees), you are subject to the directions and management of the designated staff member.

Where you are in breach of your responsibilities, you will be open to disciplinary action, including the termination of your Volunteer involvement with Melbourne Legacy. For Legatees, disciplinary action will be in line with the Rules of the Melbourne Legacy Club.

Any disciplinary action will depend on the severity, nature and circumstance of the breach.

Breaches of the law will be reported to the authorities.

### Volunteer information Collection Notice

1. *In applying to provide services to Melbourne Legacy, you will be providing Melbourne Legacy with personal information.*
2. *If you provide us with personal information, for example your name, address and contact details we will collect the information in order to register your details as a Volunteer providing services to Melbourne Legacy.*
3. *Melbourne Legacy's Privacy Policy sets out how you may seek access to your personal information and how you may complain about a breach of the APP's (Australian Privacy Principles).*
4. *We will only disclose this information to a third party with your consent or if it is required by law.*
5. *Melbourne Legacy may store personal information in the 'cloud', which may mean that it resides on servers which are situated outside of Australia.*
6. *If you provide us with the personal information of others, we encourage you to inform them that you are disclosing that information to Melbourne Legacy and why, that they can access that information if they wish and that Melbourne Legacy does not usually disclose the information to third parties, unless required by law.*

# Volunteer Details Form

Given Name: \_\_\_\_\_ Surname: \_\_\_\_\_

Address: \_\_\_\_\_

Phone number (home): \_\_\_\_\_ Mobile: \_\_\_\_\_

Email address: \_\_\_\_\_ DOB: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Note: Date of Birth is for the purposes of the WWCC check

## Emergency Contact Details

Name: \_\_\_\_\_

Contact number: \_\_\_\_\_

**Please provide a copy of your WWCC Check Card containing photo ID/Police check (as required).**

## Please tick to confirm

- I have read and understood the information provided in the Volunteer Rights and Responsibilities and information documents and agree to abide with the Responsibilities.
- I agree to take all reasonable steps to protect my own health and safety and take reasonable care that my acts or omissions do not adversely affect the health and safety of other persons.
- I have read and understood the Child Safety information and the Melbourne Legacy Beneficiary and Child Safety Policy.
- I agree to keep confidential any personal or sensitive information I become aware of through my involvement in Melbourne Legacy.
- I have completed any required Volunteer induction.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_