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Committee Secretariat  
Education and Workforce Committee  
Parliament Buildings  
Wellington

**22 June 2018**

## **1. Introduction**

The Cancer Society of New Zealand welcomes the opportunity to provide a submission to the Education and Workforce Committee considering the Health and Safety at Work (Volunteer Associations) Amendment Bill 2018.

The Cancer Society is a non-profit organisation which aims to minimise the incidence and impact of cancer on all those living in New Zealand. We work across the cancer continuum with key work areas that include health promotion, supportive care, provision of information and resources, and funding of research.

The Cancer Society engages over 3,500 volunteers on a regular basis. This number increases to over 11,000 during our awareness and fundraising events and activities.

### **Recommendation:**

The Cancer Society of New Zealand:

- Opposes the Health and Safety at Work (Volunteer Associations) Amendment Bill 2018;
- Proposes that support is made available to the community and voluntary sector to ensure that organisations that engage volunteers are able to protect the health and safety of their workers appropriately.

## **2. Summary:**

The Cancer Society, like many other organisations in the community and voluntary sector, relies on the contribution of its volunteers to deliver its mission. Within the federation over 3500 volunteers undertake critical roles. These roles cover governance, service delivery, office support and fundraising activities.

Our volunteers make an indirect or direct impact on the lives of people affected by cancer. For example, each year over 1,000 volunteers drive over 1 million kilometres to ensure over 3,000 clients are taken to and from their hospital appointments.

The Health and Safety at Work Act (HSWA) was introduced in 2015. The legislation was introduced because New Zealand's health and safety system to that point was failing.

A guiding principle of the HSWA is that workers and other persons should be given the highest level of protection against harm to their health, safety, and welfare from work risks as is reasonably practicable.

All regular volunteers undertaking work that is an integral part of the business of an organisation were always covered under Health and Safety legislation<sup>1</sup>, but the introduction of the new legislation in 2015 renewed the focus and awareness of responsibilities towards volunteers.

The HSWA clearly clarifies that volunteers are regarded as workers and their health and safety needs to be protected. This is a recognition that volunteers undertake real work and make a valuable contribution to society.

### **The current bill**

The Bill that is currently before Select Committee proposes to exclude responsibilities to protect the health and safety of its workers for volunteer-involving organisations that employ one or more people for not greater than 100 hours per week (in total across the employees).

It is recognised that it requires resources to set up and implement sound health and safety practices. The current Act clarifies that implementing ways to reduce risk should be reasonably practicable. Cost in general cannot be a reason not to protect the health and safety of workers, unless the cost to implement is grossly disproportionate to the risk.

Excluding certain volunteer-involving organisations goes against the principles of the act that workers have the right to go home safely after work (the pay scale is irrelevant) and that cost of compliance cannot be more important than the health and safety of workers.

### **The recognition of the role of volunteers in our society**

In the Government Policy on Volunteering<sup>2</sup>, the Government recognises that volunteering is an essential element of civil society. It is committed to ensuring that volunteers have appropriate protection under law. The Bill that proposed to exclude certain volunteer-involving organisations of the responsibility to protect its workers goes against this commitment.

It also signals that the work conducted by volunteers, and the volunteers themselves are less valuable.

An indirect and unintended consequence of signalling that it is not necessary to protect the health and safety of some volunteers could result in less appreciation of and less favourable attitudes towards volunteering. This could negatively impact on the Cancer Society, other volunteer-involving organisations and the community at large.

**Thank you for the opportunity to make this submission**

A handwritten signature in blue ink, appearing to read 'Mike Kernaghan', written in a cursive style.

Mike Kernaghan Chief Executive  
Cancer Society of New Zealand

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<sup>1</sup>[http://legislation.govt.nz/act/public/1992/0096/latest/DLM279195.html?search=sw\\_096be8ed816654fa\\_volunteer\\_25\\_se&p=1](http://legislation.govt.nz/act/public/1992/0096/latest/DLM279195.html?search=sw_096be8ed816654fa_volunteer_25_se&p=1)

<sup>2</sup> [https://www.dia.govt.nz/diawebsite.nsf/Files/Government-Policy-on-Volunteering/\\$file/Government-Policy-on-Volunteering.pdf](https://www.dia.govt.nz/diawebsite.nsf/Files/Government-Policy-on-Volunteering/$file/Government-Policy-on-Volunteering.pdf)