



**WA FOOTBALL COMMISSION**

---

# WHS Act and Volunteers - what you need to know

# Who has duties under the WHS laws?

A volunteer organisation will have WHS duties as a person conducting a business or undertaking (PCBU) under the *Work Health and Safety Act 2020* where one or more persons are employed to carry out work for the organisation.

## There are changes to the workplace health and safety laws in Western Australia – what does this mean for you?

- The incoming WHS Act will extend the same duty of care requirements employers have to workers onto volunteers.

## What does this look like in clubland?

- Clubs that pay volunteers either by invoice, honorarium, memberships, waiver fees etc. will be considered to be a PCBU.
- Volunteers within the club will now be provided the same protections as a “worker” under the WHS Act.



# What activities are covered by the WHS laws?



Only work activities are covered by the WHS Act. Activities that are purely domestic, social, recreation or private in nature are not included.

## **Where do sporting clubs fit?**

- Maintenance of the things needed to enable an organisation to carry out its work. For example, groundskeepers.
- Activities that people are ordinarily paid to do but are carried out for the organisation by a volunteer. For instance, working the canteen.
- Activities that the organisation has a great degree of direction or influence over. For example, fixturing and events.

# What does the organisation need to do?



If a volunteer organisation is considered a PCBU under the WHS Act it must ensure, so far as reasonably practicable, the health and safety of all its workers, including volunteers.

## **What does this mean?**

- The organisation must provide the same protections to its volunteers as it does to its paid workers. The protection covers the physical safety and mental health of all workers, including volunteers.

## **What are the PCBU's duties under the WHS?**

- Providing a safe place of work
- Providing for safe work systems
- Provide information, instruction, training and supervision on how to deal with hazards
- Monitoring the health and safety of workers (including volunteers)
- Provide for the safe use of plant, chemicals, equipment and structures

## **What's a safe work system?**

Documented processes that set out the task to be completed; all the potential hazards associated with that task; how the hazards are to be controlled and what safety equipment is required.

## **Are all volunteers covered?**

No. Volunteers that are deemed to be part of a volunteer association are not covered by the WHS Act.

## **What WHS duty of care do volunteers have?**

Volunteers have the same WHS duty of care as a worker;

- Take reasonable care of their own safety and take care not to affect the health and safety of another person through their actions
- Report hazards and incidents as they become apparent
- Comply with any reasonable instruction and with workplace safety rules, policies, and procedures

## **Do I have to train volunteers?**

Yes. All volunteers require some level of health and safety training, as is the care for any other worker, in order to perform their duties without harm. All volunteers must receive a health and safety induction when they commence work.

## **Where can I get more information?**

For further information on managing WHS for volunteers;

- SafeWork Australia – [www.safeworkaustralia.gov.au/topic/volunteers](http://www.safeworkaustralia.gov.au/topic/volunteers)
- Volunteering Australia – [www.volunteeringaustralia.org/resources](http://www.volunteeringaustralia.org/resources)