

Volunteering and Forestry Commission Wales: Scope, opportunities, and barriers

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Summary

1. The UK does not have an official or legal definition of volunteering or a 'volunteer'. However, volunteering has been defined by the Home Office (2005) as *'an activity that involves spending time, unpaid, doing something that aims to benefit the environment or individuals or groups other than (or in addition to) close relatives'*.
2. A definition used by Forestry Commission Scotland (2009) to define volunteering in relation to trees and woods states *'Woodland volunteering is the giving of time and energy in the outdoor tree, woodland and forest environment or on activities directly related to the tree, woodland forest environment (e.g.: building bat boxes, staffing an interpretation facility) through a third party, which can bring measurable benefits to the volunteer, individual beneficiaries, groups and organisations, communities, the environment and society at large. It is a choice undertaken of one's own free will, and is not motivated primarily for financial gain or for a wage or salary'*.
3. Providing evidence to support Forestry Commission Wales (FCW) Corporate Programme 6: Woodland based learning and sector skills, Action 6: *"Consider, develop and refine our approach to volunteering opportunities on the AGWE¹, and of the CPD opportunities of staff volunteering for others"*, this research report sets out to:
 - Collate information that can be used to prepare a summary guide outlining the legal obligations surrounding the use of volunteers
 - Present a summary picture of the extent and scope of volunteering across Forest Districts in Wales
 - Present an analysis of the opportunities for, and barriers to, volunteer engagement including legal and other pertinent issues.
4. A literature review and a series of semi-structured and focus group discussions with 48 operational staff in different roles across the four Welsh Forest Districts were used to explore the character and scope of volunteering on the Assembly Government Woodland Estate (AGWE) and discuss volunteer management and the important opportunities and barriers to volunteer engagement.
5. There are three ways in which volunteering is perceived by operational staff. That is, by the nature of the **transaction**, the **objectives of the volunteering** activity and by the activities undertaken and **how these fit into FCW modes** of operation.

¹ Assembly Government Woodland Estate



6. Three different models of volunteering emerge from this: **site-based** volunteering focused on a particular woodland site or landscape unit, **project-based** volunteering which may be undertaken on one or many sites but is focused on project and/or grant driven objectives which may be social or conservation oriented; and **eyes and ears schemes**² which are diffuse in reach and organisation and focus on policing and regulation of the AGWE.
7. There are six associated volunteer types which involve different legal responsibilities. These are: **Direct volunteering** where FCW staff manage volunteers directly; **Contracted volunteer management** - organisations are contracted by FCW to undertaking specific works on AGWE; **Partnership initiatives** where FCW works with and supports other organisations to manage volunteers in partnership projects; **Community initiatives** where FCW facilitates the development of a management plan or schedule of works with a constituted community group; **Independent volunteering** where organisations or individuals undertake voluntary actions on the AGWE with the permission of FCW; **FCW staff volunteers** where FCW staff act outside of their area of responsibility and/or outside of their work time in voluntary activities on FCW land.
8. Advice produced by FC England and FC Scotland covers the legal obligations around these different categories in some detail. The advice produced for England is applicable to Wales. Operational staff were clear on the differences and FCW obligations as the land manager in each case. There was a consistent approach across Districts regarding contracted volunteer management, community initiatives and independent volunteering although differences existed in partnership and direct volunteering approaches.
9. Engagement across the Districts varies in scope and type of activities undertaken reflecting the particular concerns of the local area. In south Wales the current focus on volunteer engagement is through community volunteering by Community Management Agreements (CMAs), eyes and ears schemes and the use of third party volunteer managers to undertake practical forest management tasks and infrastructure development scheduled by FCW staff. There are CMAs in place in mid and north Wales as well, but there is a greater emphasis in these Districts on volunteer engagement involving third party organisations and partnership projects working with volunteers as a form of community engagement, projects focused on

² These are schemes where volunteers (usually local residents and forest users) are encouraged to use 'eyes and ears' to look out for and then report on crime in forests and the countryside.



training and skills development, with some volunteering concerned with building and maintaining recreation facilities and biodiversity management³.

10. The costs and benefits of volunteer engagement to FCW and an appreciation of returns on investment from volunteering activity emerged as an important consideration. The scope of the of the research objectives, and the limited data available did not allow a comparative report of the numbers of volunteers currently engaged on the AGWE or of their relative importance by an indicator such as economic value. Without such financial or economic comparators, analyses of the wider business case for volunteer engagement or identification of the real opportunities for volunteering on AGWE are limited.
11. Options for FCW are clearly:
 - a. to **reduce** volunteering engagement
 - b. maintain the **status-quo**
 - c. **grow** the volunteering offer
 - d. **decide a mix of options** is appropriate across Districts according to site.

Decisions need to be made as to whether one of these options is to be applied as a Wales-wide policy, or whether there is a business case for allowing different options to be applied at District level. Whatever is decided, the resulting policy on volunteering should be clearly communicated at all staff levels.

12. If a decision is made to grow the volunteering offer it should only be implemented to meet specific and defined objectives beneficial to the aims of *Woodlands for Wales*, the WAG strategy for woods and trees. Realistically, developing opportunities could be achieved in two ways.
 - By limited growth of the **current portfolio of volunteering opportunities** using the current models and mechanisms. This would involve natural growth of the schemes and arrangements already in operation and concentrate on the role of **FCW as a facilitator of opportunities on AGWE**.
 - By developing and **adding new opportunities** and schemes for volunteering **focused on particular priority sites** particularly where these expect to receive development funding or associated projects. This would involve the active planning and implementation of new schemes on sites where the use of resources could be justified as a sound business case. The role of **FCW could be as either facilitator or direct manager of opportunities**.

³ Table 3 on page 18 provides details of this.



13. If a decision is taken to decrease or disengage from volunteering there are two forms of legacy that will need to be managed, i. infrastructure, and ii. FCW reputation and external relationships. The issues, costs and risks associated with infrastructural legacy are relatively low. The reputation of the organisation poses a greater risk.
14. The FCW system of permissions and contracting currently in place are **facilitative**, and provide a sound framework for ensuring that the legal issues of all the volunteering scenarios that came to light are covered other than direct volunteering and some partnership volunteering.
15. The significant **barriers** to volunteering which emerged from this study, are, by and large **not legal in nature** but are connected with clear **policy steer, organisational resources and capacity**. The majority of barriers are therefore related to the mechanisms for converting national aspirations into district and site-based realities. Legal issues that were mentioned included:
- responsibilities around volunteer ages (below 16, below 18 as well as older people);
 - management of personal data;
 - application of the Equality Act.
- Non-legal issues thought to present particular barriers listed by staff included:
- transport and access to AGWE sites;
 - the reactive nature of forestry work;
 - flexibility and responsiveness of FCW as an organisation.

1. Introduction

There are many policy drivers and social changes which have demonstrated the importance of volunteering and active citizenship in the environmental and land-based sector. The interest in volunteering with the Forestry Commission or on the public forest estate is highlighted as a result. Since forestry is a devolved matter volunteering policy development and the demand for evidence about volunteering is markedly different in each country. Forestry Commission Wales (FCW) is currently at the early stages of developing its policy on volunteering as laid out in Corporate Programme 6 'Woodlands based Learning and Sector Skills'. Programme 6 specifically commits FCW to:

Action 6: Consider, develop and refine our approach to volunteering opportunities on the AGWE, and of the CPD opportunities of staff volunteering for others

6.1 Volunteering has many benefits for participants. We need to refine our approach to volunteers and volunteering:

- Analyse our current opportunities for volunteering, where and how these operate and any barriers to offering further opportunities - 2010
- Examine and understand the legal and statutory obligations FCW may have towards volunteers of different types, and any legal or statutory obligations volunteers may have towards FCW - 2010
- Acting on the results of the above, review and revise the current 'volunteering' guidance document (and other ongoing work) including guidance on governance and protocol in working with volunteers - 2011
- Publish, disseminate and implement these new guidelines - 2011
- Provide support for operational staff in the use of the revised 'volunteering' documents - 2011 onwards.

This research was designed to support FCW achieve these objectives and provide scoping evidence and information needed to understand current volunteering activity and legal dimensions of volunteering as it applies in Wales.

1.1 Research objectives

The objective of this research is to support the development of volunteering related outputs listed under Action 6.1 of the Corporate Programme. Three research outputs were agreed:

1. An easy to read, digestible summary guide on the legal obligations regarding involvement of volunteers
2. A summary of what the Districts are already doing in using and engaging with volunteers
3. An analysis of the opportunities and barriers to using volunteers as a consequence of the legal and any other pertinent issues.

However, because of the specialist legal knowledge required to prepare a digest it was agreed that legal issues of importance would be set out in outline, but there would be a focus on exploring the legal issues that operational staff find a particular challenge.

Production of outputs was achieved by undertaking a literature review focused on practical and legal documents and manuals, and by exploring the experiences and needs of operational staff working with volunteers, and asking the following research questions:

1. What do FCW staff **understand** or count **as 'volunteering'**?
2. What is the **current extent of volunteering** in each Forest District?
3. What do operational staff see as the **main opportunities** for engaging with volunteers?
4. What do operational staff and others see as the **main barriers and challenges** to engaging with volunteers?
5. **What guidance** do staff currently draw on and is this useful/adequate, and what support do staff need to deliver volunteering opportunities?

2. Method

The research was undertaken by:

1. A literature search – this looked specifically for information and documents explaining and clarifying the legal position of volunteers as well as clarifying FCW's role as a land manager. Sources from within and outside of the Commission were included.
2. A series of semi-structured interviews (SSI) and group discussions (FGD) held with operational staff in each of the four Forest Districts. These followed the discussion guide shown in Appendix 2. The characteristics of the survey sample are shown in Table 1.

Table 1. Summary characteristics of sample

Area	Method*	Participant roles	Cumulative total
Coed Y Mynydd	District Meeting FGD	Mix of roles	29
	SSI	Local Area Manager, Recreation manager, Estate manager	32
Coed Y Gororau	FGD with key staff Welshpool and Ruthin	Local Area Manager, Partnership wardens	38
	SSI	Conservation Heritage Manager	39
Llandovery	District Meeting FGD	FDM and Local Area Managers (24 participants but only 4 main speakers)	43
Coed Y Cymoedd	FGD with key staff Resolven	FDM, Local Area Managers and Community/Forest Rangers	48
Others	SSI	Volunteer Coordinator FC England	49

***NB.** FGD = Focus Group Discussion; SSI = semi-structured interview

3. Results

3.1 Legal digest: Useful documents

A list of useful documents and supplementary resources covering the legal responsibilities and duties connected with volunteers is provided in Annex 1 and on the CD which accompanies this report.

3.2 Perceptions of volunteering and types of volunteer

The UK does not have a strict official or legal definition of volunteering or of a volunteer⁴. Volunteering has been defined by the Home Office (2005) as:

⁴ See NCVO statement here: <http://www.ncvo-vol.org.uk/advice-support/workforce-development/hr-employment-practice/managing-volunteers/legal-status> , and Volunteering England publication "Volunteers and the Law in England and Wales" <http://www.volunteering.org.uk/VolunteeringEngland/Core/RecordedResource.aspx?resource=4D224B2A-CB11-4529-9A95-BA4018209641>

'an activity that involves spending time, unpaid, doing something that aims to benefit the environment or individuals or groups other than (or in addition to) close relatives'.

The Scottish Government (2004) take a slightly different approach and define volunteering in their strategy as:

'the giving of time and energy through a third party which can bring measurable benefits to the volunteer, individual beneficiaries, groups and organisations, communities, environment and society at large. It is a choice undertaken of one's own free will, and is not motivated primarily for financial gain or for a wage or salary'.

An adapted definition used by Forestry Commission Scotland (2009) to define volunteering in relation to trees and woods states

'Woodland volunteering is the giving of time and energy in the outdoor tree, woodland and forest environment or on activities directly related to the tree, woodland forest environment (e.g.: building bat boxes, staffing an interpretation facility) through a third party, which can bring measurable benefits to the volunteer, individual beneficiaries, groups and organisations, communities, the environment and society at large. It is a choice undertaken of one's own free will, and is not motivated primarily for financial gain or for a wage or salary'.

Compared to the definitions of volunteering put forward by the Home Office and the Scottish Government there are points of difference in FCW perceptions of what constitutes volunteering in terms of volunteer motivations, rewards and outcomes. There were three main ways in which volunteers were perceived by FCW operational staff. These were defined by the:

- nature of the **transaction**
- **purpose or benefits** of the activities undertaken, and
- type of **activities and tasks** involved and how these fit into FCW corporate ways of working.

The classification and segmentation of volunteers is important because it has implications for the way in which volunteers are managed and the responsibilities FCW have towards them or which volunteers have towards FCW.

1. In terms of the transaction taking place, the universal **definition** of a volunteer amongst those FCW staff interviewed, was a person:

"doing work or some other activity and not getting paid for it" with some respondents adding ***"doing the work or activity for community rather than personal benefit"***.

There was some discussion about the motivations of volunteers and how this affected the nature of the transaction. Whilst many volunteers are people who want to take part in activities, others, such as those on schemes such as the New Deal are asked or required to take part in activities. In these cases where participants 'have to' take part there was a general feeling that whilst this might be classed as formal volunteering (i.e. volunteer activities organised through a commercial or charitable volunteering organisation such as BTCV⁵), it might not be 'real' volunteering since 'real' volunteering implies a considerable degree of free choice, free will and thus little or no coercion.

The other point of discussion about what constitutes volunteering was the balance of benefits in the transaction. This was illustrated most clearly by two very different opinions to emerge around work experience and work placements. For some these opportunities were considered to be volunteering since those on work placements often make a real and positive contribution to FCW, develop skills that might go on to benefit the community and contribute to improving woodland quality. The fact that volunteering appears as part of the corporate programme around learning and skills development would seem to support this view. However, there was an alternative view that in undertaking work experience with FCW the balance of benefits was far greater to the 'volunteer' personally (e.g. through the provision of on-the-job training, high degree of supervision and mentoring, use of PPE⁶) than it was either to the community or to the actual benefit of FCW. This difference is not only a matter of debate about perceptions. For some FCW staff and partners there are important legal reasons connected with employment law why they distinguish those on work placements as 'volunteers' as opposed to paid staff.

2. By the **purpose** of volunteer inputs on the AGWE, which were listed as:

- Developing skills useful to the community
- Providing community benefits, e.g. business opportunities and income, improved infrastructure, improved local landscapes and better woodland quality
- Undertaking work and tasks not otherwise done by FCW e.g. labour intensive biodiversity management tasks⁷

⁵ British Trust for Conservation Volunteers

⁶ Personal Protection Equipment

⁷ This was the situation reported in all Districts particularly where there are capacity issues connected with work normally undertaken by Forest Craftspersons.

- Delivering additional services or facilities than those FCW are able to, extending the FCW offer and providing opportunities for special interest groups and e.g. mountain bikers, horse riders
- Building social inclusion and wider social benefits by providing opportunities for disadvantaged groups
- Taking part in forest governance and planning systems e.g. participation in FDP⁸ processes, answering consultations, sitting on committees, acting as strategic partners.

3. Volunteers were recognised by **the type of activity** they were involved with and how this fitted into the FCW system of permissions and agreements. These classifications are already illustrated in part in other corporate documents such as the FCW Strategic Guidance “Working with Others including Partnership Working”⁹.

The first major division in volunteer activity was between:

- **practical action and activities on the AGWE**, e.g. bird surveys, repairing dry stone walls, vegetation management, laying paths and trails
- **events and one-off activities** which take place on AGWE which may be staffed and managed by volunteers, e.g. mountain bike competitions, orienteering events

The second major division is by **who initiated** the volunteering activity:

- **Self initiated** – requests for volunteering activity opportunities are made to FCW and FCW grant access to the AGWE and facilities for a defined purpose. FCW is reactive in these examples.
- **FCW initiated or facilitated** – requests for volunteering work are issued by FCW and volunteers/voluntary groups invited by FCW to undertake specific works, these may be linked to specific corporate actions or be included as part of the activities in, for example, a partnership project or specifically funded programme. FCW is pro-active in these examples.
- **Community requested** or initiated – where FCW recognises the community benefits from a particular woodland management or other suggestion for action and facilitates a means for volunteers to realise the community objectives in the

⁸ Forest Design Plan

⁹ Available from:

<http://alpacorn.forestry.gov.uk:7777/pls/portal/docs/PAGE/ECONNECT/FC%20WALES/POLICY%20AND%20PROGRAMME%20DEVELOPMENT/PARTNERSHIPS%20AND%20PROJECTS/STRATEGIC%20GUIDANCE%20TO%20WORKING%20WITH%20OTHERS%20.DOC>



AGWE through a formal agreement to undertake specific works over a period of time. FCW is usually reactive in these examples.

The way in which these categories fit together against who manages volunteers and the kinds of agreements used is illustrated in Table 2 below.

Table 2. Segmentation of volunteer types involved on the AGWE

Type of volunteer activity	Volunteer attitude	Volunteer type	Volunteer managers	Agreements
Practical work and activities on the estate	Want to be there	Self initiated	Third party managed	Permissions, Volunteer Permission or contracts
		FCW initiated	FCW directly managed Third party managed	Variable Permissions or contracts
		Community initiated	Community groups Community woodland groups	CMA ¹⁰ 's
	Want/have to be there	Partnership volunteers	FC and partners	Variable
	Have to be there	Self initiated	Third party managed	Permissions and contracts
Events organised by voluntary groups	Want to be there	Self initiated	Voluntary organisations Community groups	Permissions

These distinctions between volunteers are important because they form not only the basis by which thinking about volunteers is shaped, but because different legal distinctions apply between the self initiated and FCW initiated relationships, which alter the obligations and duties FCW have towards volunteers or *vice versa*. The fact that such differences exist is clearly understood by staff and there is some guidance provided on this in the Forestry Commission documents listed in Appendix 1.

¹⁰ Community Management Agreements

There are some categories of volunteering which did not fit as neatly into the categories by activity described above. Of particular note were:

- the **distinction between education, educational visits and volunteering**. There was a perceived overlap between educational activities such as work placements, and educational visits which included an element of outdoor activity, and FEI and other educational visits which involved volunteer helpers.
- **community volunteering** which some staff distinguished as different from the woodland management or recreation focused volunteering activity normally carried out as part of CMAs. Although not clearly articulated community volunteering was described as more to do with social enterprise and community governance actions on leasehold land or within community woodlands.
- the increasing numbers of volunteers taking part in **Corporate Social Responsibility** volunteer actions
- **FCW staff volunteering** which takes place at events held on the AGWE
- **Families** wanting to do outdoor activities together which are fun as well as incorporating an educative and useful – volunteering style – element.

The volunteering activities undertaken in association with FCW are almost exclusively focused on outdoor activities and works, with very little if any associated with office work, knowledge brokering or other forms of volunteering that are now emerging (e.g. using volunteers to provide professional services, using internet-based methods of engagement such as remote monitoring, micro-volunteering and mobile volunteering).

To summarise there are three volunteering models currently in operation on the AGWE and six forms of volunteering accommodated by FCW processes and procedures. The three models are:

- **Site-based** volunteering. Objectives are site driven so the focus here is on volunteering activity which maintains and develops a forest site or particular features of that site. Examples include: BTCV contracts and volunteer work in Coed y Cymoedd; North Wales Wildlife Trust monitoring dormice in Coed Ffron Wylt Wood, Coed Y Gororau; the Denbigh partnership core volunteer group undertaking maintenance work at Coed Nercwys and Moel Farnau.
- **Project-based** volunteering. The objectives are project driven and may be focused more on the volunteers or other grant-driven goals rather than the forest site. Examples would include projects for skilling NEET¹¹s, probation service working with offenders and ex-offenders at Cwmcaern Coed Y Cymoedd.

¹¹ People Not in Education Employment or Training.



- **Eyes and ears schemes.** These may be site, area or project based and may be formal or informal. The main function of these schemes is to allow and encourage local people to 'warden' and report on issues of concern, e.g. anti-social behaviour or crimes in forest areas. The largest of these schemes is Forest Watch in South Wales.

The six forms of volunteering are:

- **Direct volunteering** where FCS staff engage and manage volunteers directly. This may include answering requests for work experience and work placements as well as building volunteer teams to take on particular tasks and site based activities.
- **Contracted volunteer management** - organisations such as British Trust for Conservation Volunteers, Groundwork, or the Wildlife Trusts which are contracted by FCW to involve volunteers undertaking specific works on AGWE.
- **Partnership initiatives** where FCW works with and supports other organisations to manage volunteers e.g. Local Authorities, Butterfly Conservation, RSPB or the county voluntary organisations such as Gwent Association of Voluntary Organisations
- **Community initiatives** where FCW facilitates the development of a management plan or schedule of works with a constituted community group
- **Independent volunteering** where organisations or individuals undertake voluntary actions on the AGWE with the permission of FCW. This could include volunteer marshals organising orienteering or mountain biking activities, local groups conducting surveys and species recording, someone guiding a walking group, or school group visits with voluntary helpers. It may also include new arrangements where groups conduct works and projects on AGWE land using the community development funds made available by developer of wind energy projects.
- **FCS staff volunteers** - where FCW staff act outside of their area of responsibility and/or outside of their work time in voluntary activities on FCW land. This may be through FCW staff involvement as private individuals in other local interest groups or community groups. It may also be where staff provide assistance at an event such as Halloween walks in the wood, or sports competitions. If staff members are not formally working for FCW then they are volunteers and managed as such. However if staff volunteer at the invitation of FCW managers then they fall under the FC's undertaking and hence duty of care and are therefore considered as employees even if they are not paid overtime.

3.3 Current extent of volunteer engagement

3.3.1 Where is volunteering taking place?

There is some debate about the extent, scope and importance of volunteering in and on the AGWE. Being able to map out the extent of volunteering requires a clear definition of volunteering, and then a means to measure that involvement. Volunteering as included in this scoping exercise incorporates self and FCW initiated schemes and activities, and also covers work experience and work placements.

Ways of measuring volunteer involvement¹² would normally be conducted by calculating the total number of volunteer hours based on the number of volunteers at an event, the duration of the event, and the total number of events over a year. However, even though some initiatives such as the partnership with Denbighshire Countryside Service keep records of volunteering in these terms, this information was not available for all examples. So the extent of volunteering with FCW has been captured using the simplest possible measure recording the approximate numbers of people and numbers of agreements involved. This measure is not robust enough to make comparisons of the extent of volunteering between Districts. For example, in the case of the Denbighshire partnership (which does have monitoring records) a core group of volunteers of about 20 generated a total of 643 volunteer days through a programme of regular events across the year. In Hafod a group of around 20 volunteers provide very seasonal input and fewer visits providing a much lower total number of volunteer days.

The results which emerge from mapping volunteer involvement are shown in Table 3, and illustrate that the numbers of people involved within each District is approximately the same. It is clear that FCW is more reactive than pro-active in volunteer engagement with self initiated volunteer activities dominating interactions in all areas. The total number of permissions varies across Districts reflecting the extent of recreation and on-

¹² There are many case studies outlining good practice and appropriate methods for calculating volunteer value available through, for example, Volunteering England or NCVO. Examples linked directly to woodland are available from the Woodland Trust, the National Trust, some of the English Community Forests as well as some Welsh community woodlands. The Institute of Volunteering Research has produced several guides to measuring the value of volunteering and carrying out a value audit which looks at the full costs and value addition of volunteer involvement. All methods rely on data covering the total numbers of volunteers, the time given and the kind of task undertaken. The value of volunteer time is calculated using either: i. a standard volunteer hourly rate based on the national minimum wage or the UK national average hourly rate derived from the Annual Survey of Hours and Earnings; ii. a project specific rate, i.e. an hourly rate equivalent to the professional rate for the task completed; iii. the replacement cost, i.e. the cost of procuring the same service or the total wage cost of employing staff for the equivalent task.

site facilities of interest to voluntary groups. There is a greater emphasis on the use of CMAs in South Wales compared to the North. Extending over a time period of up to 12 months or more, some CMAs run as a legacy of the Cydcoed project and others have emerged independently.

Other than community voluntary action which is conducted within CMAs, volunteering tends to be undertaken at a number of focus sites with particular features suited to accommodating volunteer activity including: relative ease of access, popular for recreation and special interests with a need for maintenance work or infrastructure development, visitor facilities, and important to local community as a recreational resource and potential source of income.

In all locations, and across each of the volunteering models currently in operation, there appears to be a greater demand for volunteering opportunities than FCW can supply. FCW do not keep formal records of requests for volunteering, but interviewed staff were able to report the approximate numbers of phone calls and email requests they receive per month/week. The demand varies across Districts, but comes from individuals, organisations and community groups. In Llanymddyfri and Coed y Cymoedd there is a very strong demand from individuals looking for work experiences and a chance to build their CVs, as well as from organisations looking for opportunities to educate and skills train disadvantaged groups. In these Districts a local strategic decision has been made not to engage directly with individuals looking for volunteer opportunities. Individuals making enquiries are signposted to other organisations and possible opportunities. Engagement with volunteers is strictly through groups and known organisations using either contracts or the permissions system as the main management routes. In Coed y Gororau there is increasing demand from organisations looking for venues to skills train NEETS and vulnerable groups, and some level of demand from individuals wanting to develop their CVs. Arrangements for dealing with this demand vary and individual volunteers maybe engaged, some groups are not accommodated due to lack of FCW capacity. In Coed y Mynydd there is a strong and growing demand for work experience as well as for opportunities to volunteer around recreation particularly mountain biking.

**Table 3. Approximate scope and demand of volunteering across AGWE**

District	Actual volunteers (lowest approx. per annum)	Perceived demand (approx per annum)	Formal agreements/ permissions (approx per annum)	Volunteering focus sites
Coed Y Mynydd	Self-initiated (150) FCW initiated (<50)	Medium / high Low / medium	7 active CMAs > 60 permissions for events / access to AGWE organised by voluntary groups	Newborough Coed Y Brenin Hafod Estate Nant Yr Arian
Coed Y Gororau	Self-initiated (200) FCW initiated (<10)	Medium / high Low / medium	5 active CMAs > 50 permissions for events / access to AGWE organised by voluntary groups	Denbighshire Countryside Service sites & AONB Vale of Clywd e.g. Nercwys
Llandovery	Self-initiated (200) FCW initiated (<10)	Medium / high Low / medium	6 active CMA's ~ 70 permissions for events / access to AGWE organised by voluntary groups	Peri-urban forests and interested communities
Coed Y Cymoedd	Self-initiated (250) FCW initiated (~50)	Medium / high Medium / high	15 active CMAs > 30 permissions for events / access to AGWE organised by voluntary groups	Peri-urban forests and interested communities Cwmcarn Penbrey Alyn Valley

3.3.2 What are volunteers doing?

The focus of volunteering varies across Districts; the main activities are outlined in Table 4. There are a number of important national and regional third party organisations FCW work with across all Districts, including: BTCV, Keep Wales Tidy, Groundwork, the Wildlife Trusts, county volunteer services e.g. Gwent Association of Voluntary Organisations (GAVO) and Ceredigion Association of Voluntary Organisations (CAVO).

All these different types of volunteering activity take place on the AGWE. Where the activities include actual works, these are usually scheduled by FCW staff or in discussion with partners, so that there is clarity about the objectives of volunteers' inputs and required quality standards.

Table 4. Importance of different volunteering activities in individual Districts

District	Activity (approx numbers of people involved)
Coed Y Mynydd	Interest groups – educational skills development (100) Interest groups – conservation skills development (20 -50) Community groups – business and facilities management e.g. retail and café work in visitor centres, running mountain bike trails (20 -30) Work experience and placements (<15) "Eyes and Ears" (<5)
Coed Y Gororau	Interest groups – educational skills development (100) Interest groups – conservation skills development (20 -30) Partnership volunteers (20-30) Corporate volunteers (20-30) Work experience (< 5) "Eyes and Ears" (<5)
Coed Y Cymoedd	Community groups – woodland management activities (150) "Eyes and Ears" – Forest Watch (>50) Interest groups – educational skills development (20 - 30) Interest groups – conservation skills development (20 -30) Work experience and placements (<10) Gatemen (1)
LLandoverly	Community groups – woodland management (~ 70) Interest groups – educational skills development (20-50) Interest groups – conservation skills development (20 -50) Interest groups – mountain bikes and recreation (20-50)

3.3.3 How are volunteers selected?

At the present time the majority of volunteers are engaged by third party organisations. These organisations have their own recruitment procedures which may include particular selection criteria according to the objectives of their volunteering programme as well as of the organisation itself. Of those volunteers directly selected or managed by FCW, this is generally through informal self selection and the advertisement of task-based opportunities rather than advertising for specific volunteer roles. This means that, by and large, the FCW volunteering offer tends to attract from a relatively narrow social base. There is little demographic data available on the profile of volunteers, but the situation in with the Denbigh partnership volunteers is indicative. The programme of volunteering opportunities advertised here are mainly full day, physical conservation management tasks, offered during the week. The core group of volunteers here are white, middle aged and retired males: people who have considerable time available

during normal working hours and who have the immediate interest and ability for 'hard work'. The Denbigh partnership is aware that the social diversity of volunteers could be increased, but this depends on them restructuring their volunteering offer to target the circumstances and interests of other social groups in the area rather than changing recruitment methods. In summary those people offering to volunteer where opportunities exist are generally welcomed and accepted. The direct engagement process varies from site to site in terms of the use of any written agreement of volunteer services.

The situation is slightly different in the case of work experience and work placements. The selection of candidates is more structured and will include an assessment of skills against roles and tasks that the placement may be involved in. For example, volunteers on work experience with the Hafod partnership may stay for a period of up to six months and will be tasked with a variety of forestry roles. Selection includes an assessment of suitability and of training need, and is linked to a formal statement of volunteer role and responsibilities.

Overall there are three levels of criteria used by FCW and partners in engaging volunteers, as follows:

- **Basic criteria** for 'self selecting' volunteers doing general volunteer work. This covers for example: availability at set times; ability to travel independently to volunteering venue; general level of fitness. An example would be the FCW/Denbighshire partnership volunteering scheme.
- **Role-based suitability** criteria for self selected volunteers developing their volunteering role. Applied in some circumstances where a general volunteer takes on a role such as e.g. a warden, after a period undertaking less responsible activities and when the qualities and skills of the person can be assessed against the role requirements. An example is the appointment of Eyes and Ears wardens in Coed Y Gororau.
- **Formal screening** and 'appointment' procedures for volunteers fulfilling a particular and well defined role which may require certain skills and competencies. Screening can include interviews and use of references, and criteria are derived from role the description. An example would be the Hafod Trust work placement volunteers.

3.3.4 How are volunteers managed?

Management and supervision of volunteers is of course mainly through third party organisations with specialist skills and knowledge of their volunteers and client base. The majority of these organisations have formal policies and procedures for volunteer

management. The Districts report few instances of this form of supervision being inadequate.

Where volunteers are engaged directly by FCW or within FCW partnerships there may be direct management of volunteers by operational staff. The most significant management task is the supervision of volunteers undertaking outdoor activities and works.

Supervision in these circumstances includes input along the chain of responsibility from the completion of risk assessments, through health and safety introductory talks around tasks and tools, and then close supervision during the activities themselves. There is some, but little management of volunteer records, and because of the nature of FCW volunteering, little in the way of developing volunteer roles and personal development. The situation is slightly different with regards to work experience volunteers, mentoring and management inputs here are more extensive may include training and personal development.

Because of the low level of direct management of volunteers, there were very few instances of difficult situations with volunteers, so few examples to explore how volunteers were managed when things did not go so well. The few situations described involved volunteers and students on work placements continually failing to turn up, in which case discussions involving student tutors have ended the relationship by mutual agreement.

The most important issues that operational staff mentioned in terms of volunteer management were the risks associated with particular individuals and their backgrounds. Personal information about, for example, criminal backgrounds and mental health issues may not be disclosed and unease was expressed about the management implications of this in situations where FCW staff are responsible for supervision of those volunteers.

3.3.5 How is quality assured?

The quality of volunteer work on the AGWE is assured in a number of different ways depending on the objectives and legal basis of the relationship with the volunteers or volunteer managers. The first approach is for FCW to **clarify expectations** from volunteers based on the kind of volunteer and volunteer activity being undertaken. For situations where volunteers are working to a longer term site-based model e.g. as in the case of Hafod volunteers, or through third party groups as a 'one off' with minimal training where impact on landowner liability is minimal **expectations are matched to lower skills levels**.

The second approach is to **maintain and formalise expectations** and is applied where volunteers have been contracted or have agreed to work on infrastructure improvements and maintenance. In all such cases where volunteers have worked on, for example,



paths, walls, and trails, as well as in situations where specific vegetation management has been attempted there are **site visits by operational staff** to check the quality of the work completed. Expectations are therefore maintained at a high level. The general experience with quality of work is good, particularly with specialist groups such as mountain bike clubs and riders, who have a keen appreciation of the technical requirements of works undertaken. The understanding of landowner liability is also clear. If works are not of sufficient quality **remedial works** are undertaken. In the case of some agreements and volunteer arrangements where expectations are high and formalised these remedial works may be undertaken by FCW but paid for by the volunteer organisation. In other circumstances where expectations are lower and informal FCW bears the costs.

Closely linked to quality of volunteer work is the issue of volunteer **training and skills development**. A number of operational staff felt that lack of quality was a direct reflection of the success or otherwise of their own ability to manage volunteer training. They also thought clear communication about FCW needs and standards with third party organisations was important here.

3.4 Opportunities for volunteering

The interviews and discussion with staff indicated that there is clearly a range of opportunities for volunteering. However, it is important to consider the reasons and objectives for volunteering as these affect the mode of engagement, legal obligations, level of resources needed and strategic priorities for support. There are four possible goals which emerged from discussions:

1. Using volunteers for tasks which add value to the estate
2. Increasing community engagement as a form of building connection and a sense of ownership to the woodlands by interest group, local ownership, and resolving conflicts.
3. General extension of the FCW offer to hit wider policy aspirations e.g. increasing diversity of users
4. FCW facilitating opportunities for staff volunteering in response to government policy for civil service engagement in volunteering activities.

1. Adding value to the AGWE

Completing forest and woodland maintenance work, improving forest quality and undertaking site micro-management for biodiversity are all tasks which have shown to be within the capacity of volunteers, and have proven particularly valuable in some Districts where a lack of forest craftspeople provides useful volunteer opportunities. Volunteers are particularly useful in adding value through “nice-to-have” but not essential actions and interventions. Districts also report a maturation of their

relationships with charities and other third sector organisations, so that the tasks undertaken are now much more closely aligned to FCW needs. A substantial number of staff interviewed saw opportunities for expanding volunteer involvement in practical forestry and woodland management, particularly with respect to:

- tree planting
- biodiversity and vegetation management actions
- simple silviculture
- forest maintenance work.

Although there was some recognition that these opportunities may not suit the widest range of volunteers, and would need careful management in terms of health and safety risks. The following comments were typical

"well yes, there are opportunities, I have a number of sites where I think it would be really beneficial to get volunteers in, we could get them in to work alongside contractors or whatever, we could save money I guess, but I can really see them taking part in tree planting, I am really keen to try tree planting with volunteers"

"but you don't get people approaching us for that kind of volunteering opportunity I don't think you would be able to find people to do that or if you do well it would be very hard to let them do that stuff health and safety-wise What sort of certification would they need to show they could get the job done?"

"There are opportunities yes, but it's a bit more complicated when you are talking about coppicing and that kind of thing, it's possible but you need to make sure of the quality of work"

2. Increasing community engagement

Opportunities exist both with CMA arrangements and the development of direct volunteering or community group volunteering permissions to increase community involvement and community connection to specific AGWE sites where these are an important part of the social, cultural and environmental landscape. These communities can be the local geographical population, or communities of specialised mutual interest such as mountain bike community which has a large catchment but a shared identity, culture and interests. Evidence from the interviews suggests that there is a slowly increasing demand for community engagement through volunteering particularly amongst interest groups. There would be positive benefits to FCW and the AGWE where volunteering could be used to develop social enterprises and build community cohesion or lessen conflict around particular sites.

"One of the key things we wanted to do with the scheme is to draw local people in get people to meet and then know each other, and us, and to have fun, as well as

learning skills and everything else so that it is seen as a positive thing at [mentions site name] and then you draw in other people there is a sense of community built up, with people who really know what is happening on the site and why, and you can manage the conflicts and difficulties better as a result. If you can get buy in like this it makes our jobs much easier in the end."

3. Extending the FCW offer

Continuing to engage with volunteers through partnership projects, providing permissions and contracting with third party organisations could provide new opportunities for volunteering which also help to extend the FCW offer by bringing in volunteers from particular interest groups or from sections of society normally harder to reach or living with some form of disadvantage. Specific policy aspirations and targets related to diversity and equality, community involvement and increasing the ease and breadth of access could be achieved this way.

4. Facilitating opportunities for employee volunteering

FCW staff volunteering already happens in the context of events and activities on the AGWE. This study did not look at the development of an employee volunteering scheme.

3.4.1 Opportunities: Ways forward

In the current era of financial austerity for public services, and with a drive to increase the involvement of civil society in all aspects of governance, including environmental governance, volunteering could present some significant opportunities to FCW. However, developing any of the options described above would require policy commitment, an operational effort and dedicated resources. Volunteer engagement and management is relatively resource heavy in the context of current FCW staffing levels.

The strategic choice for FCW is whether to:

- Reduce levels of engagement with volunteers
- Maintain current levels of engagement
- Grow opportunities for volunteering.
- Decide a mix of these is most appropriate across Districts and according to site.

The overall level of staff and other resources open to FCW for managing volunteers at current levels or growing the volunteer offer is uncertain. There are two opposing views amongst operational staff about this situation. The most widely held opinion is that developing volunteer opportunities is not a realistic option, certainly where this applies to FCW direct management of volunteers because FCW are not staffed to achieve beyond current levels of engagement. The following comments were typical:



"We have enough trouble achieving against our core business targets so adding in volunteering, something not put into FJP¹³s, nor given any credit or anything, well it's just not realistic, we don't have the manpower, its incredibly time consuming"

"Unless people come to us and request like a specific thing, then it isn't really very easy for us to respond, we need the information so we can organise it and then let them get on with it but in any case even if its probably doable ... it still needs a lot of our time to fill in the paperwork and make sure everything is just so it's a whole other area of work difficult to fit in"

"We considered working with individual volunteers a long time ago Like the New Forest we looked at the process for everything you would need but in the end stayed clear we are not flexible enough to respond and that is a real concern I would have for any proposal to set up volunteer programmes as direct delivery, you know we are just not suited to it"

The other view is one which sees the potential for voluntary action to overcome some of the resourcing issues FCW has. In the words of two respondents, for example:

"Volunteers really could be doing all sorts of things for us from litter picking to actually doing quite hard jobs like managing mountain bike trails, you know stuff that we potentially would have to pay a fair amount of money for. And filling our gaps if you like."

"You know a true volunteer is people you can leave on their own and do the work, not somebody you have to supervise all the time, that's what we should be aiming for like England well Scotland have done, you can't just tag it in [lists all the management issues] but we could be clear about what we are offering and get some real returns from it in the current climate it could be very important."

There are probably two mutually compatible and realistic ways of approaching volunteer opportunities:

- Limited growth of the **current portfolio of volunteering opportunities** using the current models and mechanisms. This would involve natural growth of the schemes and arrangements already in operation and concentrate on the role of **FCW as a facilitator of opportunities on AGWE**.
- Developing and **adding new opportunities** and schemes for volunteering **focused on particular sites** particularly where these expect to receive development funding or associated projects. This would involve the active planning and implementation of new schemes on sites where the use of resources

¹³ Forward Job Plan

could be justified as a sound business case. The role of **FCW could be as either facilitator or direct manager of opportunities.**

Any opportunities offered should be of demonstrable value to FCW - actively delivering Woodlands for Wales outcomes. This relies on being able to demonstrate in economic and financial terms:

- The value of non-tangible benefits, including such things as community buy-in to FCW operations and improved social relationships within and between communities and FCW staff, improved image and positive perception of FCW or the skills of FCW staff engaged in volunteering
- The value of work achieved and the impact in terms of improved outcomes against policy targets, e.g. biodiversity focused actions
- Costs averted through 'regulation' and 'policing' e.g. the eyes and ears schemes.

The monitoring and impact data required to do this is neither currently available nor collected by FCW on a regular basis.

An additional route to volunteering opportunities is to invest in FCW corporate volunteering (employee volunteering) and providing staff time for Districts to take part in voluntary action for other local groups and causes on or off the AGWE. Most models of employee volunteering treat staff engagement as a formal activity where the costs of staff time are covered by the company or organisation involved as a part of their commitment to Corporate Social Responsibility. WAG follows a different model and has a volunteering scheme for employees which allows staff to take time off for volunteering using annual leave. An FCW corporate scheme could perhaps be developed in partnership with WAG, WCVA¹⁴ or TimeBank¹⁵. In any event it would be useful to formalise the record keeping and recognition of the benefits of the voluntary work FCW staff already undertake on AGWE and elsewhere¹⁶.

If FCW were to take a decision to decrease or disengage from volunteering it would need to define what kind of volunteering this would apply to. At the moment direct management of volunteers by FCW is very limited, so it would be self initiated, CMA and partnership forms of volunteering that would be impacted. In this context there are two forms of legacy that will need to be managed, i. infrastructure, and ii. FCW reputation and external relationships.

¹⁴ Wales Council for Voluntary Action

¹⁵ <http://timebank.org.uk/employee-volunteering>

¹⁶ Where FCW staff are using leave allowances to undertake volunteering some of this information is captured on the REBUS system.



The issues, costs and risks associated with infrastructural legacy are relatively low. Experience with CMAs means that for the most part the latest generation of agreements have clearly defined exit strategies, there are obligations on communities to maintain infrastructure and the option for FCW to remove infrastructure if it is no longer being used or poses any kind of risk.

The reputation of the organisation poses a greater risk. Many of the formal and informal groups that use the AGWE through the permissions system, the organisations involved in partnership projects and agreements involving volunteers, as well as the more active community woodland groups, are important stakeholders in the forestry, land-based industries and countryside recreation sectors.

3.5 Barriers to volunteering

The opinions expressed across the Districts show the main barriers to volunteering and the importance of each of these factors can be listed in order as follows:

1. Lack of clear FCW steer and strategy with regard to volunteering
2. Time and resource constraints
3. Transport and access issues
4. Reactive nature of forestry work
5. "Others" including some legal issues connected with employment law, data protection and Equalities legislation

From the point of view of an operational staff, the barriers to volunteer engagement have little to do with legal issues, and much more to do with explicit organisational support, and finding ways to grow volunteering that fit FCWs resource and modes of working.

1. Strategy.

There was a very strongly articulated view for the need for a clear FCW volunteering strategy and steer which signposts national priorities and supported possibilities. Operational staff at different levels are not clear what the FCW strategy for volunteering is. There have been many policy statements, discussions about volunteering and the development of initiatives in the past. A glossy booklet on volunteering published by the then social forestry team in 2004 is still being used as the policy position. Operational staff would like to know what the FCW position is, in very clear terms, now and for the immediate future. Is FCW looking for a slow growth of current models, a steady state or a decline in volunteer engagement? Or does FCW view the new policy agendas around civil society along with the expected retrenchment of public monies as providing opportunity and expectation to increase the range of volunteer models and scale of



engagement more proactively? Without a clear statement of strategy and what exactly is being supported, operational staff are reluctant to move forward with volunteer engagement and see this lack of steer as a real barrier. As two respondents put it:

"I am just not sure if we are actually allowed or being encouraged to do this I would like to develop something at [names site] but without a clear strategic remit I am not sure how far I can take it, how much I should look for the resources to make it happen, how much of a priority is volunteering amongst all the other initiatives we are asked to respond to?"

"It's all a bit wishy washy really, unsatisfactory, unless we get a clear policy statement like they've done in Scotland"

2. Time and resources

A common feature acting as a barrier to volunteering in all Districts is the limited resource (staff capacity and budgets). The time and resources involved in volunteer management and volunteering promotion is considerable, even with the 'lowest cost' options such as third party relationships there are still obligations and procedures which are time intensive. The most important calls on time were listed as:

- Supervision time - either the management of Third Party organisers or of volunteers themselves
- Training – training volunteers and volunteer managers
- Managing risk – undertaking health and safety procedures management and liability
- Putting together a volunteer programme and maintaining it
- Facilitating permissions requests particularly the time needed to clarify community requests which are often unclear in their formulation.

3. Transport and access

This is a barrier to engaging and keeping volunteers. The location of some areas of the AGWE are often not easy to reach by public transport, and, in some areas the centres of population are some distance from woodlands. Sites such as the Hafod estate are particularly difficult to reach. As well as presenting a general barrier to volunteer engagement issues of transport and access also work against diversifying the volunteer demographic profile.

4. Forestry work can be unpredictable and much work is reactive in nature, i.e. work that needs to be done responds to situations in day-to-day forest management. There are two outcomes as a consequence. The demands on FCW staff are variable and this may conflict with heavy time commitments required of volunteers. The tasks that need to be completed may not always be suitable for all kinds of volunteers. The flexibility



and responsiveness required to accommodate these changing situations represents a barrier.

5. Other issues mentioned as barriers were:

- The legal issues surrounding age limits – young people below 18 and 16, and older people. In terms of younger people this is important since there is an increasing demand from families of mixed ages to take part in volunteering together and legal obligations in this context are difficult to interpret.
- Duty of care - There are concerns about whether some volunteers have the ability to take part in physical activity safely whilst under the duty of care of FCW
- Many operational staff are resistant to the idea of volunteering and see little value in it for FCW. This stems from a lack of understanding of what the benefits to FCW are, and so why they should become involved.
- Working patterns. Volunteers may seek opportunities outside of normal FCW working hours.
- Engagement processes – currently volunteers managed directly by FCW and partners tend to be engaged reactively, individually and continuously (i.e. not at set times in groups, which means that induction, H&S and task talks have to be repeated). This is not the most efficient method.

3.6 Guidance and information needs

3.6.1 What we know about

The discussion with operations staff revealed that there are areas that staff generally have a good understanding of and feel generally confident about. This includes

- Civil law – FCW duty of care and liabilities where these relate to the duty of the landowner
- Criminal law – where this relates to Health and Safety legislation and the need for risk assessments and similar procedures
- FCW policy and public sector duties with regard to equality and diversity in general terms.

There are a number of guidance documents already being used by operational staff that help clarify legal duties and responsibilities as well as practical issues. These are:

OGB42. Short section on volunteering but has useful link to FCW volunteer agreement template



FCW Strategic Guidance “Working with Others including Partnership Working”.
(March 2010)

Forestry Commission England Guidance for Working with Volunteers. Vicky Myers and Susan Taylor (October 2004)

Some staff have also been using:

New Forest Volunteer Ranger Handbook. Vicky Myers and the New Forest Team
(March 2007)

Training and guidance materials on best practice volunteer management from the RSPB¹⁷

The need to ensure compliance with legislation through the application of risk assessments, H&S talks, training to use tools and materials etc. are all well understood by operational staff who have little difficulty preparing and delivering required processes and procedures. The attitude taken by staff is that as the land manager, ultimately the duty of care and legal responsibilities rest with FCW – whether the volunteer activity is self initiated or directly engaged by FCW. Roles and responsibilities under the Forestry Act byelaws are also well understood and laid out in the permissions and contract templates already available.

3.6.2 What we don't know about

Whilst there are many legal and practical issues that staff are used to dealing with, there are a number of areas which emerged from conversations as being more difficult to interpret and act on. These are related to direct FCW management of volunteers as well as to third party agreements and CMAs as follows:

- A clear message about the general status of a volunteer is needed. The general perception is that volunteers are not employees, but they should be treated as an employee in all but name when it comes to legal and duty of care obligations. What becomes confusing is establishing a difference between a member of staff and a volunteer. How do FCW avoid building “a pattern of work” or employment that could be construed as something other than a volunteering role?

¹⁷ Royal Society for the Protection of Birds



Reported scenario. Patterns of work and reliance on volunteers

If volunteering and volunteer inputs become a habitual feature of the way part of the AGWE or FCW facilities are run does this mean that a regular pattern of work has been established regardless of the contents of any written or verbal agreement of the volunteer role? For example, there was some confusion about the risks and liabilities in this regard of having a regular working party undertaking tasks that would normally be the responsibility of a forest crafts person, or using a volunteer who attended regularly on set days and times in a retail environment, and on whom that retail outlet relied upon to perform certain tasks and functions. How would you establish the volunteers were not involved in a 'regular working pattern'?

- The collection and use of personal information was an issue of concern to many operational staff. The key issues here were about what information we can reasonably ask for, what information and personal data are we allowed to use, and who can use it. The main concerns here relate to FCW's duty of care where volunteers are directly managed by FCW and partners, and being able to institute practices which protect volunteer physical health and safety and ensures that volunteers are found and take part in appropriate tasks. Has the Equality Act 2010 altered what information can be sought? In addition to this, there are concerns expressed about the need for personal information so that issues such as mental health can be handled appropriately. Furthermore some questions have been raised as to what, if any, data we might need to collect for monitoring and other duties under the Equality Act 2010. Think this is more driven by the Data Protection Act (DPA), rather than equality legislation – it is about how information is requested, collated and then used rather than just what we ask for. Equality monitoring is only a small element of this process.

Reported scenario. Personal data and health issues

A volunteer group were taking part in conservation management tasks on the AGWE organised by FCW. The tasks were physical. In the course of the volunteer session it became apparent that one of the volunteers was over-exerting themselves and beginning to struggle. It transpired that the person concerned suffered from a heart condition. The FCW staff member had asked people to disclose their health status, the volunteer had not, and the FCW staff felt compromised dealing with the situation.

- Could FCW have asked for personal information about the health status of the volunteer?
- If this information is not disclosed to FCW on a voluntary basis by the volunteer what are FCW responsibilities in terms of volunteer selection and of matching volunteers to appropriate tasks?
- What are FCW responsibilities in the event of health problems and related accidents whilst an individual is taking part in an activity if FCW is unaware of underlying health issues?
- What are the right procedures to follow in terms of keeping this information private under the Data Protection Act 1998, and allowing staff access to ensure best quality duty of care?



- What is the right way to deal with 'compensation' and expenses. What is allowed under HMRC, what kind of compensation payments if any establish a working pattern, and what are the implications and limits of out of pocket and incidental expenses where volunteers are claiming welfare benefits. Are there any obligations on FCW with regards to this where a third party is managing the volunteers?

Reported scenario. Flat rate expenses

In some circumstances it isn't possible to ask volunteers to provide receipts for the full total of their expenses. If somebody has travelled to a site using their own transport for example, they won't have a receipt for petrol for exactly the right amount by distance. Where interaction with volunteers happens on a regular basis and involves larger groups any receipted expenses system also represents a burden on staff time. In these circumstances a flat rate expenses system would be much easier to operate.

- Is a flat rate expenses system the same as a wage?
 - Can a flat rate expenses system be agreed with HMRC and does that have to be agreed in writing using a recognised format?
 - Do expenses have implications for those receiving state benefits?
 - What about volunteer drivers and their associated expenses if they are carrying other volunteers?
- Clear guidance on our expectations regarding third party managers of volunteers on the AGWE and how best to manage them for compliance with our legal liabilities i.e. how to ensure full disclosure of information and material issues we can expect to be informed of.
 - There is some confusion about the differences and similarities between employment law and obligations to volunteers. It would be useful to have a clear statement for directly managed volunteers regarding methods for volunteer selection, and dealing with difficult situations in a way which is appropriate for volunteers. Following on from this, it is not always clear to FCW staff whether there are any obligations in this area they need to ensure are complied with by the third sector organisations managing volunteers on the AGWE.
 - Insurance and liabilities in the case of CMAs is sometimes confusing since different 'layers' of responsibility can exist within an agreement and over a particular site. These situations obviously need to be considered on a case by case basis and the issue here is providing clear guidance on who within FCW is best placed to answer legal questions and queries.



- The changing profile of people looking for volunteering opportunities includes families wanting to work together as volunteers? What are the legal obligations in this scenario? Would it be possible for FCW to allow families to volunteer on AGWE, and under what conditions?
- Is there any link between volunteering and the Gangmasters (Licensing) Act 2004 that FCW staff should be aware of?



4. Conclusions

The conclusions against the original objectives that can be drawn from this short study, are as follows.

1. Digestible guide outlining FCW responsibilities to volunteers and vice versa.

The internal FC advice designed for England and the additional external materials included as a list of links in Appendix 1 below, provide enough material with which to develop a Wales focused guide. The advice needs to separate out the different kinds of volunteers working on the AGWE and the different models of volunteering applied. A **suitable characterisation** has been provided in **section 3.2.** of this report.

In addition to following the 'template' provided by English and Scottish advice, the scope and content of any digestible Welsh guide needs to include clear advice on:

- the boundary between third party management of volunteers and the extent of FCW responsibility and liability in these cases

and in the case of directly managed volunteers particular attention should be given to:

- A clear and consistent framework for volunteer selection and resolution of difficult situations
- Not establishing a pattern of work
- Managing data and volunteer information
- Discussing and defining the civil and criminal legal boundaries between the responsibilities of partner organisations towards volunteers.

2. The current scope of volunteer engagement

- a. The current levels of volunteering are relatively modest, but make the best use of pressured staff time to include a majority of self initiated volunteering opportunities alongside a more limited number of directly managed volunteers.
- b. The different volunteering models undertake a wide range of tasks leading to a broad spectrum of tangible and qualitative benefits for FCW as well as for those individuals and communities involved.
- c. The emphasis in the volunteering offer in each District reflects the nature of the particular forest sites, community concerns and operating issues of most importance to staff.
- d. The greatest drawback to understanding the value and impact of volunteering on AGWE is a lack of monitoring data to make comparative and other assessments of volunteering engagement and outcomes across all four forest Districts. This severely limits any analysis of the costs and benefits to FCW of volunteering or



the return on FCW time and investment supporting and managing the various forms of volunteering that currently take place on AGWE.

3. An analysis of the opportunities and barriers to volunteering

- a. Because of the very small amount of direct management of volunteers by FCW, most of the barriers to volunteering discussed by FCW staff were not legal issues. The general opinion to come through from operational staff was, apart from one or two issues, they had a good understanding of the responsibilities FCW, as landowners, have towards volunteers.
- b. The barriers discussed were far more to do with the size of the resource available to support volunteering and community engagement, and potential changes facing the environment sector in Wales.
- c. There may be additional policy pressures favouring the growth of volunteering and active citizen engagement through devolved versions of the Westminster 'Big Society' agenda and models of co-management and co-production that respond to civil society demands for management and governance opportunities with respect to public assets.
- d. The most important barriers to developing volunteering opportunities are therefore, the mechanisms for converting national aspirations into District and site-based realities. National aspirations need to include strategic support indicating the scale and the models of volunteering that FCW wishes to retain or develop, clear guidelines for implementation, and the use of processes such as integration of volunteer management into FJPs. In short, what are the objectives and targets for volunteering on AGWE; which sites are the most appropriate focus for volunteering; and how will FCW contributions to volunteer engagement and management be recognised within the business.
- e. The research suggests there are two, complimentary, routes to growing the volunteering offer. Limited growth of the **current portfolio of volunteering opportunities** using the current models and mechanisms and responding to the unmet demand which already exists, with **FCW acting as a facilitator of opportunities on AGWE**. Developing and **adding new opportunities** and schemes for volunteering **focused on particular sites** which have strong connections to local communities and recreational interest groups, such as Coed Y Brenin and Newborough and particularly were these expect to receive development funding or associated projects. The role of **FCW could be as either facilitator or direct manager of opportunities**.
- f. Different arrangements and agreements will be needed to allow the flexibility and adaptive approach needed to respond to, and engage with the complex range of organisations and projects offered by civil society organisations and the third sector.



- g. For new schemes of directly managed volunteers to be successful and comply with national best practice guidelines, a package of volunteer support and branding modelled on those of other organisations including, welcome, induction and training, group identity, a range of clearly described volunteer roles, settled programme of events, and system of volunteer development and rewards needs to be put into place. Much of what FCW already does in terms of volunteer management follows national standards and could easily lead into accreditation with the National Occupational Standards for volunteer managers.
- h. FCW employee volunteering could be a novel route to growing voluntary action within FCW and would address calls from central government for the civil service to begin extending employee volunteering and include civil servant community service as part of staff appraisals¹⁸. WCVA or TimeBank or other similar organisations would be useful organisations for taking this idea forward with FCW.

¹⁸ See for example Baroness Neuberger's report on volunteering by the civil service reported here: <http://www.wired-gov.net/wg/wg-news-1.nsf/0/77B3E8BB123A8A18802575EC004DA8AC?OpenDocument> or the Coalition government's agreement on social action reported here: <http://programmeforgovernment.hmg.gov.uk/social-action/index.html>

Appendix 1. List of useful documents and resources

From voluntary organisations and professional bodies

Volunteering England publication: Volunteers and the Law in England and Wales

<http://www.volunteering.org.uk/VolunteeringEngland/Core/RecordedResource.aspx?resource=4D224B2A-CB11-4529-9A95-BA4018209641>

WCVA Volunteering Information Sheets - 14 documents providing details on many of the legal issues of concern to FCW staff

http://www.wcva.org.uk/all/dsp_pub_infosheet.cfm?catid=29&display_sitedeptid=4&display_sitetextid=2108&sub=3

WCVA Manual Recruiting Volunteers: a manual of good practice

<http://iiv.investinginvolunteers.org.uk/VolunteeringEngland/Core/RecordedResource.aspx?resource=4f3c4535726742d182db7bfa41709b6c>

Volunteering Resources – legal issues explained in greater detail

<http://www.volresource.org.uk/moreses/vollaw.htm>

Volunteering England: Briefing on the Equality Act 2010 for Volunteer Involving Organisations

<http://www.volunteering.org.uk/VolunteeringEngland/Core/RecordedResource.aspx?resource=0d5d977fec34c2189f78151ceb9b141>

Guidance from the Equality and Human Rights Commission including:
Equality Act 2010 - Your rights as a volunteer

<http://www.equalityhumanrights.com/advice-and-guidance/equality-act-guidance-for-service-users/voluntary-and-community-sector-organisations-including-charities-and-religion-and-belief-organisations/your-rights-as-a-volunteer/>

When you are responsible for what other people do:

<http://www.equalityhumanrights.com/advice-and-guidance/guidance-for-employers/when-you-are-responsible-for-what-other-people-do/>

HR Bird - How are Volunteers protected by the Equality Act 2010? At:

<http://hrbird.org.uk/blogpost.asp?hr-resource=How-are-volunteers-protected-by-the-Equality-Act-2010&post=15>

Management of volunteers - National Occupational Standards

<http://www.skills-thirdsector.org.uk/documents/mvnos-full-doc.pdf>

<http://www.ncvo-vol.org.uk/advice-support/workforce-development>



From the Forestry Commission

OGB42 Managing Recreation (February 2010) available from:

<http://alpacorn.forestry.gov.uk:7777/pls/portal/url/ITEM/7FA2AAB0F544EF9CE04012D30980B1FB>

Forestry Commission England Guidance for Working with Volunteers

Vicky Myers and Susan Taylor (October 2004) available from:

<http://alpacorn.forestry.gov.uk:7777/pls/portal/url/ITEM/EEB9782E9E51A3DBE03012D30980E7F7>

New Forest Volunteer Ranger Handbook

Vicky Myers and the New Forest Team (March 2007)

Volunteer Management on the National Forest Estate: FCS Staff Guidance

FCS (March 2007) available from:

<http://alpacorn.forestry.gov.uk:7777/pls/portal/url/ITEM/2B17F6A293EC0768E04012D30980C723>

Appendix 2. Advice on the Equalities Act and Volunteers from the FC Diversity Manager

Volunteers as Employees

If Volunteers have a contract to work personally for FC and receive more than out-of-pocket expenses in exchange, they are protected as if they were employees. Out-of-pocket expenses include benefits in kind, or other rewards – this could be such things as Free Parking or Passes, training in things that are not directly associated with the work the volunteer is doing (not including H&S and E&D training). Choice of volunteers must be open and fair in these circumstances, as for any other recruitment and volunteers under this 'employment' will receive all the same protections as employees. This is more about Employment Law first, with equality legislation as an additional element.

Volunteers as Service Users

By providing Volunteer opportunities we are providing a service and to people who wish to become volunteers. Volunteers are therefore service users and protected under the Equality Act as follows; Protected Characteristics of Disability, Gender reassignment, Pregnancy and Maternity, Race, Religion and Belief, Sex and Sexual Orientation (note not Age). They are protected from the following discrimination categories – Direct, Associated and Perception, Indirect, Victimisation and Harassment (not 3rd party Harassment), failure to make Reasonable Adjustments and disallowing breast feeding. It would be best practice to include Age and 3rd Party Harassment as part of our attitude in managing volunteers. Recruitment and choice of volunteers must be open fair and not discriminatory, because otherwise as potential service users, people who wished to become a volunteer, but were turned down could have a complaint under the Act that the thing that prevented them from accessing that service (becoming a volunteer) was discriminatory.

Volunteers as Service Providers

Some Volunteers deliver a service to other FC customers on FC behalf. They are therefore bound by Equality Act provision of goods, facilities and services. If they behave in a discriminatory fashion to other customers or staff, not only may they be liable under the Equality Act, FC may also be liable. It follows that Volunteers likely to have any contact with staff and the public in the course of their volunteering role for FC should be E&D trained to understand their responsibilities under the Act towards all other people. (Customers protected are - Protected Characteristics of Disability, Gender reassignment, Pregnancy and Maternity, Race, Religion and Belief, Sex and Sexual Orientation (note not Age). They are protected from the following discrimination categories – Direct, Associated and Perception, Indirect, Victimisation and Harassment (not 3rd party Harassment), failure to make Reasonable Adjustments and disallowing breast feeding.)

Equality Act Public Sector Duties – does not refer to Volunteers at all BUT

FC has a duty to

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Volunteering could be seen as a good method to use to meet these duties, indeed the Government may well expect us to do so. An interpretation of this is that our volunteers should come from as wide a demographic as possible and that we should be seen to try to create opportunities for as wide a group as possible so they can make an informed choice about whether they would like to volunteer. This would include the need to try to reach local Protected Characteristic Groups, advertise and explain the opportunities to them and assist them to manage that work (e.g. reasonable adjustments, single sex groups, interpreters (e.g. deaf and 2nd language English / limited or Welsh language) etc).

Third party obligations

Third-party managers must understand and implement the Equality Act and should either have their own, or sign up to our, E&D policy. They should be looking for volunteers from all protected characteristics and actively promote volunteering options to and within those groups. This obviously depends on the focus of the group; for example those Groups whose constitution is for the disabled, will focus primarily on disabled people of course, but should make sure that disabled people of all genders and from all backgrounds are appropriately included in their activities. We should choose a wide range of groups to act as third party providers, so as to get the widest volunteer base possible according to local demographics.

Establishing and meeting particular needs

When using groups as a means to establish volunteers, those groups should work with FC to identify and risk assess any issues (disability mental, sensory or physical, prayer, diet, custom etc). Otherwise the proper risk assessment should be sufficient. It would be useful to have a contact number for each volunteer in case of emergency. Further help can be found referencing the Policy First Aid at Work on the Health and Safety site (http://alpacorn.forestry.gov.uk:7777/portal/page?_pageid=33,196284&_dad=portal&_schema=PORTAL).

Personal information and monitoring data

Any data collected must be collected with the regulations of the Data Protection Act (DPA) in mind; use of data must be made clear, as must the confidentiality the data will be subject to. Arrangements to secure that confidentiality must be put in place and maintained.

The most important principle is to be clear why you are collecting information, what the information will be used for, and to tell volunteers up-front before asking for it (also include who else will have access to it and how it will be kept confidential). Volunteers have an absolute right to refuse to provide information, but that should not affect their volunteer potential unless there are CRB requirements that they refuse to disclose.

As long as Forestry Commission can show that it has tried hard to reach and encourage people from the protected characteristics to volunteer, it is not necessary to collect data on who actually ends up volunteering. If the information collected about individual volunteers will only be used to monitor and not to identify and close holes in the profile of the volunteer population it is redundant. If there is a good reason to collect the information then, working on the assumption that most volunteers are local, all data has to be compared to the local background demographic to make any sense. As previously highlighted, this is about the DPA, not just Equality Act.

Equality Impact Assessment

Although the term is lost in the Equality Act, the need to make decisions based on evidence and to be able to demonstrate and justify those choices in public remains. FC should either create single guidance on Volunteers, which it will EqIA, or each individual piece of guidance should be EqIAd. This would ensure that all measures were in place to achieve our Public Sector Duties and each group's potential and need was properly considered when choosing volunteers on a one to one basis or Volunteer Groups when using them to broker the volunteer service. Public Sector Specific Duties expected in January should clarify the EqIA matter, but the principle as explained above will remain.

Sources for the above - EHRC, Volunteering England, HR Bird (for the voluntary sector).

Appendix 3. Interview and discussion guide

ENGAGING WITH VOLUNTEERS – RESEARCH for FCW

Contact: Dr Bianca Ambrose-Oji (Bianca.ambrose-oji@forestry.gsi.gov.uk 0777 587 0865)

Social and Economic Research Group
Centre for Human and Ecological Sciences

BACKGROUND INFORMATION

The FCW Corporate Programme area 6 'Woodlands based Learning and Sector Skills', which has been approved by the FCW Management Board, includes outputs related to volunteering. These are organised under "Action 6: Consider, develop and refine our approach to volunteering opportunities on the AGWE, and of the CPD opportunities of staff volunteering for others"

Understanding that volunteering has many benefits for participants, FCW have recognised that their approach to volunteers and volunteering needs to be refined. This is an important issue now that the Coalition government has identified the 'Big Society' as an important area of policy development and engagement with volunteers is one way for public agencies to meet the Big Society challenge. FCW's plans over the next 18 months are to:

- Analyse our current opportunities for volunteering, where and how these operate and any barriers to offering further opportunities - 2010
- Examine and understand the legal and statutory obligations FCW may have towards volunteers of different types, and any legal or statutory obligations volunteers may have towards FCW - 2010
- Acting on the results of the above, review and revise the current 'volunteering' guidance document (and other ongoing work) including guidance on governance and protocol in working with volunteers - 2011
- Publish, disseminate and implement these new guidelines - 2011
- Provide support for operational staff in the use of the revised 'volunteering' documents - 2011 onwards

This piece of research aims to provide FCW with evidence and information to support this process. The specific objectives are to:

Provide FCW with an understanding of the current opportunities for volunteering, where and how these operate and any barriers to offering further opportunities.

This relies on talking to operational staff to find out what they are already doing with volunteers, and what they think the possibilities and barriers to using volunteers are.

Discussion Guide

Section 1. Characterising volunteering

Can you describe the activities that happen in this District which you consider to be 'volunteering'?

Suggest free list and write up on flipchart – could ask participants to add ranking once list is complete to show which are most common forms of volunteering to triangulate with next question

Do you think there are there important benefits for FCW engaging with volunteers?

Section 2. The extent of volunteering

Can you provide a list of the main volunteering opportunities in this District that are currently being undertaken (or have been undertaken in the last 2 years)?

Cross check the list against the forms of volunteering already described in previous question

Ensure detail re kind of volunteering, location (on or off PFE) key stakeholders and how organised is collected

How much of this is conducted on the AGWE?

Are there any key organisations or stakeholders involved in organising and managing these opportunities with FCW – or on behalf of FCW?

Roughly how many volunteers are involved?

What?	Who involved in organising or running scheme/opps?	Where?	How many volunteers involved?
e.g. College/University work experience placements	Kim Burnham and Education team Bangor Uni. Glynllifon College.	Llanrwst office – across District AGWE	4-6 per annum

Section 3. Current practice engaging with volunteers

How do you come into contact with potential volunteers?

How do you select which volunteers to engage with?

Are there any specific risks engaging with volunteers that you know you need to consider?

What kind of support and training do you provide volunteers with?

What kind of support and training have **you** been provided with regarding your interaction with volunteers?

Where does this support and guidance come from?

What is particularly useful?

What kind of support and guidance is missing?

Are there times/examples when working with volunteers doesn't work out?

How do you deal with volunteers who don't meet the required standard?

Section 4. Barriers and challenges

What do you think are the main barriers against working with volunteers?

Suggest free listing these and then adding into a matrix and conduct a quick scoring (or ranking) exercise

Section 5. Opportunities and future working

Where do you think the main opportunities lie for engaging with volunteers?

How do you see opportunities for volunteering developing in the future?

What advice would you give those developing the FCW volunteering policy?

Section 6. Endings

Can you suggest other people in the FC, or contacts from other organisations we could talk to about this research?

Organisation	Name/contact

Would anybody here be willing to be contacted again for a more detailed interview in connection with this study?

Name	Role

