

**Submission to  
The Transport and Industrial Relations Committee  
on the Insurance Protection and Rehabilitation Bill (No 2)  
from Volunteering New Zealand**

**Introduction**

This submission is made by Volunteering New Zealand (VNZ), the national association of regional volunteer centres and national organisations with a strong commitment to volunteering. These organisations cover emergency services, health, welfare, education, sport and recreation, conservation, special interests and advocacy.

VNZ's mission is to create an environment which supports, promotes, values and encourages effective volunteering by the people of Aotearoa New Zealand. In this respect it has a different role from that of other organisations which speak on behalf of not-for-profit or voluntary organisations.

Our submission represents the views of VNZ members and other organisations involved in volunteering services within New Zealand. The focus of the submission is the new provision within the Bill which will provide cover for mental injury covered by a sudden traumatic event. The submission therefore is particularly on behalf of organisations and volunteers where the volunteers may be involved in situations where mental injury could be the result of a sudden traumatic event.

**Executive Summary**

Volunteers are carrying out a range of activities which may or could be carried out by paid workers and in which they are exposed to potential sudden traumatic events which could result in mental injury. Emergency service volunteers are a key group. There are other activities which also present the potential for such events and resultant mental injury.

Accordingly VNZ advocates that the provisions for cover for mental injury caused by a sudden traumatic event set out in Clause 6 of the Bill be extended to provide cover for volunteers (unpaid workers) who experience such injury in a situation similar to paid workers (employees).

There is precedent in the Health and Safety in Employment Act for recognising volunteers and their needs in their unpaid work situations. This Act requires key sections to be applied for volunteers when involved in activities in a paid employment environment. VNZ would be happy to work with officials on appropriate wording for the Bill.

VNZ fully endorses the submission of the NZ Fire Service on this aspect of the Bill.

### **The volunteers at risk**

Volunteers are involved in a variety of activities where there is significant potential for sudden traumatic events which could lead to mental injury. They may be working within a team comprising only volunteers but may also be working along side paid workers who would be covered by the proposed new provision.

The more obvious example of those who would be exposed to this risk are those involved in emergency services or who provide support in emergency situations. They would include fire fighters, ambulance officers, search and rescue personnel, coast guards. Support services would include Victim Support, Red Cross and Salvation Army emergency relief teams as well as the relatively new support services being provided by St John and other agencies within public hospital emergency departments.

Other settings where volunteers are potentially exposed to such a risk include volunteers working with people at risk, in all health services, in programmes for children and young people, community advisory services such as CABs and budget advisory services and a number of other situations where traumatic events could happen.

All of these volunteers are working, they are just not being paid for it. If work related mental injury is covered, it is inequitable that they should not be included within that cover. The inequity can be well illustrated by the typical situation of an ambulance crew where one ambulance officer is paid and the other is a volunteer. If a sudden traumatic event occurred and both suffered mental injury as a consequence, based on the Bill as presently drafted, the paid officer would be covered and the volunteer officer would not.

### **Costs to volunteers**

Financial costs could be incurred by volunteers in at least two ways. First would be any consequent medical treatment costs which cannot be provided through public health services. Second would be the loss of earnings for those volunteers who have paid employment outside their volunteering duties. This would be the case for the majority of those most likely to be at risk of such an event.

It would be only equitable for these volunteers to have ACC cover for the costs they incur as a consequence of a work related mental injury. Cover should be provided whether or not an affected worker is being paid for his/her services. It should be noted that volunteers in paid employment will be paying the ACC earners levy and their employers the employers levy.

### **Precedent in Health and Safety Act**

Amendments to the Health and Safety in Employment Act passed in 2002 recognised that those volunteers involved in activities which paid workers also do, should be given similar legal protections for their health and safety. The Act reflects this.

The wording in the Health and Safety Act could not be used as is. It would provide a starting point and guidance on how Clause 6 of the Bill might be amended to extend coverage for work-related mental injury to volunteers undertaking activities that might otherwise be carried out by a paid worker.

VNZ **submits** that the Clause 6 of the Bill (ie the proposed new Section 21B of the Act) be amended to achieve this. VNZ would be prepared to discuss with officials the development of suitable wording.

### **Support for NZ Fire Service submission**

VNZ understands that the NZ Fire Service Commission is making a submission to the Select Committee on this issue. It provides a perspective in relation to volunteer fire fighters. VNZ wishes the Committee to know that we endorse and fully support the Fire Service Commission submission.