

ABSTRACT

Recent changes in volunteerism and in the larger society have created a new context for volunteer programs. As volunteers are asked to take on increasingly responsible work, and as society in general grows increasingly litigious, many volunteer programs are experiencing the dual influences of increased risk and increased liability. As a consequence, it is argued that risk management is no longer optional in the management of volunteer programs, particularly wherever volunteers are asked to perform important, complex work, and where volunteers work directly with vulnerable clients.

Making the Case for Risk Management In Volunteer Programs¹

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I have come to an important realization after more than two decades of work in the volunteering business: After all this time there are still a good many well-meaning people, some of whom are in positions overseeing volunteer work, and some of whom are ultimately responsible for the work done by volunteers, who still believe that volunteering is about lady bountifuls with bonnets and baskets administering unto the sick and the orphaned, rolling bandages, and serving tea!

CHANGE AS THE CONTEXT TO UNDERSTANDING RISK

It is almost trite these days to say that things are changing, but change is perhaps the most significant factor to consider in constructing a context for risk management in volunteer services. The kinds of changes that were experienced in the human and community service system in the 1990s surpass any other period of change in the history of service provision. Fundamental shifts have permanently altered health care, education, social services, and other aspects of community life. All of these changes have direct consequences for the work of volunteers, and for the volunteer movement itself.

Not all that long ago, organizations needed to be encouraged to consider involving volunteers at any level beyond the legally necessary board of directors. Now, it is difficult to identify third sector organizations that do not involve volunteers at all organizational and program levels, in both administrative (board/committee) and direct-service positions. Volunteering has grown to enormous proportions and now hardly resembles what it was as recently as a decade ago.

As North American society continues to struggle with economic restraint and ongoing cut backs, we see governments decrease funding for a wide range of services and shift more and more delivery into the nonprofit and charitable realm. This transition to "community based service" has been particularly evident in health, mental health, and social services, but it is also taking place in other service sectors such as criminal justice and public works. Non-profit and community organizations are now performing functions and delivering services that only a short time ago would have been considered the purview of governments and institutions. Consider, for example, the large scale transitions of patients from institutionalized mental

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health and developmental disability facilities into smaller settings and group homes in our neighbourhoods, now managed by community agencies. Consider the dramatically increasing home-based health care system in which seriously ill and dying persons receive health care in their own homes from community health care agencies; community policing initiatives which place volunteers on the front lines of report-taking and even alongside officers on patrols; and the increasing numbers of local, all-volunteer horticultural societies which tend to urban beautification projects and even road median plantings that municipal government workers used to tend.

Community and nonprofit organizations have a long tradition of involving volunteers in their work. As these organizations expand their mandates and often struggle to serve more people with fewer resources in the community based models, they have come to increasingly rely on the involvement of volunteers in direct service delivery. Over the last decade we have often heard the rather desperate cry "Let's get volunteers to do it!" ring out from board rooms across the continent.

To be sure, we have seen volunteers perform important, sometimes risky, and even essential functions for several decades, e.g., volunteer firefighters, volunteer search and rescue units, volunteers in disaster relief efforts, and so on. But there is no question that volunteers are being engaged by many agencies in direct-service delivery in ways that would not have been considered just five to ten years ago. Volunteers are more often being placed in high demand, higher risk settings such as the emergency rooms in hospitals; victim services placements where they meet the needs of victims and their families right at the crime scene; tutoring in the adult literacy movement which places volunteers one on one in the often isolated settings of students' homes and apartments; handling huge sums of money raised at monster weekend bike tour fundraisers; guiding children in white water canoe trips over multiple days in wilderness areas.

Both positive and negative consequences follow from such growth and development in volunteer opportunities. At point here is the dramatic increase in risk that can often accompany the new, more sophisticated, and often more responsible positions that volunteers are being asked to fill. Volunteers are not only in boardrooms making the critical financial and service decisions, they are also on the front lines in our neighborhoods and in our agencies, often side by side with paid staff, doing "real work," and working directly with clients and program participants who are often sicker, more frail and more vulnerable. For example, volunteers underpin the community-based hospice movement which places them at the bedsides of the most vulnerable population imaginable, in the presence of increasingly complex medical technology and in reach of ever-present narcotics; volunteers perform direct service work in store front clinics and drop-in centers for street youth; and they staff soup kitchens and outreach initiatives to homeless persons in isolated and dangerous inner city neighbourhoods.

To be clear, there is nothing inherently *wrong* with volunteers doing this kind of work. The point is simply that riskier work requires deliberate efforts on our part to reduce and control risk exposure wherever we can. As Marlene Wilson said more than 20 years ago, and clearly it is even more true today: "What we are just beginning to realize is that as our communities grow and the problems increase and become more complex, helping one's neighbour becomes more complex as well" (Wilson, 1976, page 15).

Existing risks and liabilities are exacerbated by two associated trends. First, society has become significantly more litigious. This is true now in both Canada and the United States. People are suing others more often, and nonprofit organizations are far from immune from legal accountability. As the Nonprofit Risk Management Center indicates,

Many nonprofits never face a lawsuit, but those that do know that it can be costly and time consuming. Good risk management can reduce these costs or perhaps help you to avoid a lawsuit altogether. (Nonprofit Risk Management Center, 2001)

Sometimes suits are launched specifically because of the activities of volunteers. I frequently hear stories from participants in my workshops on risk management about liabilities arising out of the work of volunteers. More than one organization has been sued, for example, because volunteers have sexually abused children entrusted to their care; an organization was sued because volunteers took some clients on a recreational outing not identified as part of their regular work with the clients, and a client suffered an accident and was permanently disabled as a consequence; board members were sued for breach of trust because they ignored evidence of misappropriation of funds in their organization. Contrary to some popular thinking on this matter, there has not been an overwhelming number of legal actions launched against nonprofit organizations in North America, but it is certain that many of the organizations that have been sued find the experience overwhelming.

Second, as resources are stretched to their absolute maximum, which is more and more often the key reason why volunteers are invited to take on increasingly responsible positions in the first place, there are fewer supervisory staff to ensure adequate performance standards among volunteers. Less supervision invites greater risks. In some settings, the very position that should be considered indispensable, the manager of volunteers position, is being cut to solve budget problems. That quick bottom line fix typically has long term consequences for the overall quality of volunteer involvement and the increased risks associated with the work that volunteers perform.

VOLUNTEERING-RELATED RISKS ON THE RISE

The consequence of these trends is obvious: The risk of injury/malpractice/accident increases directly, and the likelihood of legal action is greater. As long as volunteers are confined to simple and routine chores, away from direct contact with clients or the public, agency administration has little risk with which to concern itself. As soon as an organization chooses to assign demanding, responsible, and direct-service work to volunteers, the consequences of error multiplies. The solution is not to withdraw volunteers from important work. Rather, organizations must recognize their obligations to responsibly manage volunteers as the real workers they are asked to be. As employers, organizations have corresponding ethical and legal obligations to ensure that volunteers work in the safest manner possible, in the least hazardous environment that can reasonably be created.

It does not require a great stretch of the imagination to identify multiple disaster possibilities that could happen virtually any day of any week in volunteer programs across the continent. The risks associated with voluntary action come in many shapes and sizes, but one thing is certain: they are both bigger and more prevalent than ever before.

RISK MANAGEMENT AS BEST PRACTICE

In anticipation of the critics who caution us not to engage in, or to be ruled by, "worst-case thinking," the problem is that there are still too few managers of volunteers in the field right now who consider the extent of risk that exists in voluntary action. True, some practitioners may feel overwhelmed, or even immobilized, by the potential for disaster, but they are outnumbered by those who still ignore the risks that volunteer involvement generates for clients, staff, volunteers, and the organization. Risk management, reasonably applied, is not a function of worst-

case thinking. It is not excessive or incompatible with the work of charities and non-profit organizations. It is responsible and contemporary best practice that places due and appropriate priority on personal safety, program effectiveness, and organizational well-being.

The underlying assumptions to the application of risk management in any setting are as follows:

1. There are no absolutes and no guarantees in risk management. No risk management system in the world can prevent all risks. Things can, and do, go wrong.
2. Ignoring the potential for trouble never makes it go away; inattention to risks can exacerbate the harm and increase the liability attached to it.
3. Risk management is not designed just for the extremely risky situations; it should be applied to all volunteer activity.
4. Facing risks head on and making every effort to control them will often avert disaster and/or minimize the magnitude of harm that results.
5. If something does go wrong, any attempts that have been made to anticipate and prevent the loss or tragedy through a risk management process will constitute concrete proof of diligence, and consequently reduce personal and organizational exposure to liability.

ADMINISTRATORS MUST BE ON-SIDE

Many managers of volunteers feel a sense of unease about some of the positions their organizations have required them to create for volunteers. Others suffer a well-formed, full-blown dread of injury, harm, and loss that appears altogether too likely to result from the placement of volunteers in positions of great risk. Too often, when managers of volunteers try to respond appropriately to risk identification, when they try to advise their administration that placement of volunteers in certain positions is too risky, or when they request the time and resources for policy

development and risk management, they are met with comments from administration such as, "Don't worry about that. They're just volunteers," or "Why are you always waving red flags and looking for trouble?"

At some point, the lag created by rapid and radical change catches up. As Nora Silver points out, the result of rapid growth and change in volunteerism has been the creation of a gap between the real complexity of volunteer involvement and the ability of organizations to understand and comprehensively manage the valuable resource they have mobilized.

The future of community organizations, and the independent sector as a whole, depends on the future of our volunteers. Right now that future is at risk. It is not for want of volunteers. It is not for want of good organizations providing good services. It is for want of the capacity of these good organizations to utilize people well. (Silver, 1988, p.1)

Managers struggle to do the best they can, but for many, support from their organizations is absent.² Organizational systems such as the following are not in place for volunteers:

1. Communication systems
2. Reporting systems
3. Accountability systems
4. Policies and procedures
5. Resource planning and development
6. Insurance
7. Risk management systems

RISK MANAGEMENT NO LONGER OPTIONAL

A few recent high-profile cases of abuse by persons in positions of trust have served to dramatically raise legal standards and demands for public accountability. These changes have arisen so quickly that managers who have not significantly increased their attention to risk management in volunteer services in the last two to three years may be

exposing both volunteers and clients to greater risk of harm, and their organizations to greater liability.

It is critical that we begin to acknowledge the complexity and significance of the work that is mobilized in volunteers and that is required in the managers of volunteers positions. Risk management has become an indispensable function in the management of volunteer resources in the 21st century.

Risk management may sound like a lot of work, and it can be. Do keep in mind, however, that organizations and their personnel are actually managing risks all the time, anyway, just not systematically. Implementing a formal risk management system prompts managers to ask not only the right questions, but the right questions in the right order, that help produce risk management solutions throughout the volunteer department, and indeed, throughout the agency.

Remember that very few programs involve no risks, and very few risky situations are managed with only one risk control mechanism. Fully evaluating the range of risks that prevails and then systematically exploring all risk reduction mechanisms can generate a properly tailored constellation of mechanisms for each situation. The process will help organizations operate within their own risk tolerance zones. As a bonus, the kind of comprehensive program review that a risk management process entails will often generate more productive and satisfying volunteer involvement, and more effective services to consumers as well.

Not engaging in risk management will not make the risks go away. In fact, not deliberately managing and controlling risks will more than likely increase the odds of risks materializing, and as well as the likelihood of a subsequent legal action. Risk management has become a no-longer-optional element in 21st century volunteer program management.

Check out these sites for more on risk management:

- www.nonprofitrisk.org
- www.eriskcenter.org
- <http://ncinfo.ioe.unc.edu/pubs/electronicversions/slb/archive.html> ("Legal Issues in School Volunteer Programs" (4-Part series))
- <http://iciclesoftware.com/vlh/>

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ENDNOTES

¹Portions of this article have appeared in Johnstone, G. (ed.) *Management of Volunteer Services in Canada: The Text*. Carp, Ontario: JTCInc. 1999; and also in Connors, T.D. *The Nonprofit Handbook* (Third Edition). New York: John Wiley & Sons. 2001.

²For managers who are working in the "gap" described by Silver, and who need help to convince their administrators, executive directors, or board members of the necessity of risk management in volunteer services, three resources are recommended. *Tremper and Kostin's No Surprises* (1993) is an excellent primer for agency administration (paid and unpaid) because it makes a strong case for risk management for both direct-service and administrative (board and committee) volunteering. For those administrators who are not likely to read

a book, or who might be persuaded to at least listen to a tape on the way to and from work one day, consider the author's *AudioWorkshop*TM Policy Development for Volunteer Services. It describes the need for policies in risk management and makes a strong case for policy development as an essential risk management device (1996). The third resource to help administrators understand their role in effective volunteer services is Susan Ellis' *From the Top Down*, written specifically for executive directors and board members (1996).