

News Release

RT/01

17 May 2011

Red Tape Task Force calls for clearer legal protection for volunteers

A suffocating blanket of red tape and an insidious mythology about being sued are deterring millions of Britons, volunteer organisations and charities from helping out more fully in society, an independent report reveals today. The Red Tape Task Force, led by Lord Hodgson of Astley Abbotts, has spent nine months examining the myriad of rules and regulations which put people off giving their time and money to good causes and stifles the volunteer and charity sector in the UK.

Its report, *Unshackling Good Neighbours*, makes six key recommendations to the Government to help reduce bureaucracy and red tape. It has also highlighted some of the myths which have sprung up too, for example, 'rules' that children should not play conkers without wearing protective goggles or that pancake races are a health and safety hazard.

A key finding is to seek to develop a 'reasonableness' test to protect volunteers from consequences of well-intentioned voluntary acts, for example if an elderly person slips on a pathway which a charity volunteer has cleared of snow. In another tangible result for the Task Force, the Association of British Insurers has signalled it will revise its definition of non-business 'social driving', which currently puts people off using their cars for volunteering because they have to pay higher insurance premiums.

Lord Hodgson and his team set about answering three questions: what stops people giving their time, what stops people giving money and what stops charities and voluntary groups and social enterprises growing? And after reviewing over 600 complaints about excessive bureaucracy and speaking to

dozens of organisations and individuals, the Task Force urges the following recommendations:

- Reform the law to clarify the extent of charity trustees and volunteer liability to encourage more involvement and participation by individuals
- Eliminate regulatory duplication and repeated requests for the same information in slightly different formats, for example by Companies House, the Charity Commission and commissioners
- Establish a Working Party to include representatives of the insurance industry and civil society organisations (CSOs) to address the insurance needs of the sectors
- Encourage investment in CSOs by creating a new category of “social investor” and clarify the position of trust law with regard to charities
- Simplify the licencing of fund-raising events and provide clear standard guidance across the sector
- Encourage the out-of-work to get involved in greater volunteering and ensure they and Job Centre staff understand that it does not automatically affect their benefits and welfare payments

Lord Hodgson, chairman of the Red Tape Task Force, said: “The variety, diversity and contribution of the charitable and voluntary sector is one of the glories of our country and the Task Force has set out to find ways to assist its continued growth and development.

“But over recent years we’ve seen a real devaluation of common sense and trust through a tangle of rules and guidance which aims to eliminate risk from our lives but instead creates a risk of a society where people are afraid to help each other. As long as volunteers behave reasonably they should not be liable if something goes wrong – the legal framework must make this clear.

“It is clear that there is a huge level of interest in the issue of deregulation in the voluntary sector since over 600 organisations and individuals have provided us with evidence. We are extremely grateful to them for the trouble they have taken and, wherever possible, we have used these ‘real life’ examples to underpin our recommendations.”

Nick Hurd, Minister for Civil Society, said: “Many volunteers, charities and social enterprises are frustrated with the amount of red tape interfering with their day to day work. We do have a responsibility to protect people but it’s clear we need a better balance.

“Lord Hodgson and his team, helped by hundreds of volunteers, charities and social enterprises, have produced a challenging set of recommendations. Progress is already being made. The Association of British Insurers should be congratulated for their swift action to address concerns around volunteer drivers’ premiums. And government is already simplifying pre-qualification questionnaires for public service contracts as well as reforming Criminal Record Bureau checks to commonsense levels.

“We will consider the recommendations in full. To maintain momentum I encourage the sector to use the recently launched Red Tape Challenge to continue to raise awareness of the burdens of red tape. I have also invited Lord Hodgson to review progress on implementing the Task Force’s recommendations one year from now.”

Notes to editors:

1. The report *Unshackling Good Neighbours*, is available at:
www.cabinetoffice.gov.uk/resource-library/unshackling-good-neighbours
2. Members of the Big Society Red Tape Task Force are Lord Hodgson, President of the National Council for Voluntary Organisations (NCVO), Andrew Hind, recently retired Chief Executive of the Charity Commission; Lynne Berry, Chief Executive WRVS, David Tyler, Chief Executive Community Matters, Sir Graham Melmoth, recently retired Chair of NCVO and former Chief Executive of the Co-operative Group and David Thompson, Chair of Marstons PLC.
3. The Red Tape Challenge is a government website which invites comment on regulation and requires Ministers to scrap burdensome rules or give a clear case for keeping them. For further detail see:
<http://www.redtapechallenge.cabinetoffice.gov.uk/home/index/>
4. In addition, the Department for Communities and Local Government help voluntary and community groups struggling with red tape. For further information see:
<http://barrierbusting.communities.gov.uk/>

Cabinet Office Press Office 22 Whitehall LONDON SW1A 2WH

0207 276 0393

www.cabinetoffice.gov.uk

Out of hours telephone 07699 113300 and ask for pager number 721338