



Somerset County Branch Submission on volunteers in Somerset Libraries

Background

Somerset County UNISON Branch provided SCC with a submission to the Somerset Library Service Review in 2010.

“Frontline staff have seen their roles change significantly over the last few years. There is a great deal more unofficial as well as funded and trained tutoring than previously, particularly in IT skills. The loss of so many professional staff has meant frontline staff taking a greater role in marketing, promotions, displays and activities such as story times. Unfortunately, lack of staff has meant a frustrating inability to expand services to users. Initiatives such as ‘Living Libraries’ and out-of-hours clubs, that many other authorities have, are not possible in a lot of our libraries.

The use of volunteers to address this lack, if properly implemented, can add many benefits both for the service, its users and the volunteers themselves. Somerset libraries have an excellent volunteer policy. The Housebound Service in partnership with the WRVS has a long history and the service has enriched many lives. However, volunteers can only be used for these ‘add-on’ services, their use needs to be monitored and managed and they cannot replace permanent staff. Nor should it be expected of them.”

Volunteers make a valuable contribution to society. Many UNISON members already work closely with volunteers or volunteer themselves outside work, and the trade union movement itself is built on the involvement and engagement of volunteers. However, there is a difference between real volunteering and using volunteers as a source of cheap labour.

In May 2011 Somerset County UNISON was asked to provide a submission on volunteering in libraries to the JCC on the 5th July 2011. In addition they were asked to agree a range of tasks volunteers could carry out in Somerset Libraries. UNISON members’ views remain clear.

Whilst UNISON recognises that volunteers can make a valued contribution to libraries we oppose the use of volunteers to replace core or mainstream library and information assistant roles. Paid staff and volunteering roles are very different and should not be used as a means of reducing numbers of qualified and trained staff. There should be a guarantee of no job substitution.

good 'employment' standards for volunteers and clear roles for volunteers and paid staff involving SCC and UNISON.

Staff morale was reported at an all time low during the early stages of the library review. It remains at an all time low and if anything is even worse. The problem was reported to the JCC on 23rd May 2010. Many issues have sadly impinged on UNISON members including possible library closures, redundancy payments, frozen posts, reduction in opening hours and the future of the service appearing in press reports ahead of informing staff. Unfair treatment on redundancy was acknowledged by SCC HR Policy Committee meeting on the 14.3.11 'a number of staff had been unfairly treated'. Into this arena a discussion document has been circulated on volunteers in Somerset libraries.

"Obviously a volunteer is cheaper than me and will no doubt be better valued"
- Somerset County UNISON member

"Those who think that every expert can be replaced by a cheerful volunteer who can step in and do a complex task for nothing but a cup of tea are those who fundamentally want to see every single public service sold off, closed down, abolished".
- Philip Pullman, author

Legal status of volunteers

In law, in order to be a volunteer, individuals must agree to work completely voluntarily and for free. This means that SCC cannot require anything from the volunteer, such as that they be trained or work a minimum amount of hours. Individuals are unlikely to be regarded as volunteers if they are required to work for SCC in return for any pay benefits in kind or training or if they have agreed to be available for work at certain times. A pattern of behaviour can represent a contract even if there is no written contract.

Volunteers are entitled to claim out-of-pocket expenses related to their volunteer role, including food, travel and childcare costs. Third sector organisations report that employers are reluctant to produce any kind of written statement of a volunteer's duties as this may give individuals recourse to employment tribunals. However, a recent test case brought against the Citizens Advice Bureau ruled that volunteers (those who are unpaid and have no binding contract) are not covered by equality legislation, including the Disability Discrimination Act. This makes volunteers vulnerable to potential discrimination in the workplace, with no means via which to challenge this.

National Minimum Wage

It is becoming increasingly clear that some volunteers are often working under conditions imposed by an employer (but not necessarily in writing) and should

therefore be considered 'workers' for National Minimum Wage purposes. If they are a 'worker' they are entitled to be paid at least the NMW (unless a specific exemption applies). A 'worker' is someone who works under a contract of employment or other kind of contract (express or implied) whereby they undertake to do work personally for someone else and they are genuinely not self employed.

The key elements in establishing whether someone is a 'worker' as opposed to a volunteer include:

- Whether there is an obligation on the individual to perform the work and an obligation on the employer to provide work

- Whether the individual is rewarded for the work by money or benefits

UNISON's view is that:

- Paid employees should not be replaced by volunteers

- Any volunteer performing work according to terms and hours laid down by SCC could well be a 'worker' and eligible for at least the NMW.

The role of library staff

SCC has had excellent value for money from its library staff. They are hard working, flexible, committed and have had to weather change management on an almost weekly basis.

In November 2010 the MLA asked –'What do the public want from libraries?' The research shows that if libraries get the following things right they are key drivers to satisfaction.

- Helpful, knowledgeable and friendly staff
- A good range of books
- Library being close by or convenient to reach.

'A good experience matters; people are more sensitive to quality of experience in libraries than for many other cultural activities. Older users particularly value helpfulness of staff'.

'The Value, impact and potential of public library services' report explains what makes a library different from any other place where people can access books and information. 'The universal nature of a service that is free and open to all, giving access to knowledge, information and entertainment available in print, digital and audio forms; library staff provide the expertise to help people access that which is valid, relevant and helpful.'

Members inform us that there needs to be a better focus on library staff development. We need paid trained library staff on the frontline so we retain library customers and encourage new ones.

"We are currently just plugging the gaps. Already relief library assistants are often the first point of contact for our customers. We are rapidly losing all the knowledge and experience we had following the cuts"

- Somerset County UNISON member

“Problems will arise that would have been easily resolved by paid library staff on the premises rather than volunteers”

- Somerset County UNISON member

Members feel some of the potential volunteer roles suggested by SCC are job substitution. Members wish to retain customer care standards.

The same principles of supervision, monitoring and feedback should apply to the role of volunteers as they do to library staff. It is important that the work of volunteers is monitored and reviewed on a regular basis to ensure that the continuity and quality of service is maintained and that the volunteer is confident in their role and gaining good experience. If a volunteer proves to be unsuitable or unreliable in the role this will need to be addressed with the volunteer and ultimately if the concerns persist there needs to be a clear route to terminate their volunteer post.

Community Libraries

Somerset County UNISON branch has regularly suggested alternatives to the council cuts in the library service and has submitted regular questions to SCC cabinet and council meetings. During the last financial year SCC has increased its reserves by £4.68 million.

“A better than expected settlement and surplus in the Community budget could have been used to stop the damaging cuts”

- Somerset County UNISON member

Members agree that a requirement of a community run library remaining in the public library network is that the community group managing the library should pay for staff hours sufficient to cover at least one-third of the opening hours.

Members feel SCC has presented the community run libraries with volunteers as the only option to avoid closing a library. Running a library is a serious undertaking and not something for the faint-hearted.

“If the job is worth doing then it is worth being paid for”

- Somerset County UNISON member

Retained Libraries

UNISON has acknowledged the value added roles volunteers are currently providing in Somerset Libraries.

UNISON library members' feedback has concentrated mostly on the use of volunteers in retained libraries. It is important to recognise that the suggested 'roles' that volunteers could do are not exclusive to volunteers and paid library staff will continue to support these areas.

- IT Support

Person specification 'Uses IT equipment to source information in appropriate format and to create and amend records'

JD 'Assists users with ICT hardware and software applications, e.g. giving assistance with internet searches, email and word processing' (40%)

Somerset libraries give access to IT resources and are essential in closing the digital divide. SCC has not specified what ICT support volunteers would help with, no examples have been given. Library and Information Assistants provide support on a daily basis and often this involves the use of Netloan which would create data protection issues. UNISON recommends SCC gives specific examples of the ICT tasks volunteers could assist with so we can comment further.

- Assistance with promotional activities such as story-time

Person specification 'Open to new ideas and willing to adapt behaviour to support service improvements'

JD 'Assists with promotional activities, e.g. drawing attention to, and explaining, holiday reading schemes, helping with class visits, or participating in story-reading sessions, and dealing with related clerical matters'

SCC currently offers volunteers the opportunity to support children's story-time. UNISON has no issues with this support continuing. In addition the Summer reading challenge has grown and in many libraries last year was greatly enhanced by volunteer contribution to the activity.

While it must remain the responsibility of paid library staff to plan and deliver children's events such as story-times and baby boogie there are occasions when additional help from volunteers is welcome and will add to the smooth-running and value of the role of paid library staff. Volunteers can assist in various ways including buggy parking, ushering etc.

"Volunteers should not be used in place of paid staff and no event should go ahead without paid staff presence"

- Somerset County UNISON member

- Shelving

Person specification 'Follows defined procedures to carry out a range of routine administrative tasks conscientiously and efficiently without prompting; eg shelving of range of items'

JD 'Shelves returned items, maintains good order and checks for condition of stock, carries out minor repairs' (15%)

UNISON members have told us that this is a large part of a library assistants role. Shelving enables library and information assistants to learn the layout of the stock and what we keep. It is an essential tool in helping library and information assistants to get to know their stock.

“Shelving improves my knowledge base and enables me to respond quicker and better to customer enquiries”

- Somerset County UNISON member

SCC plans to introduce RFID technology in 2012/2013 therefore members believe the shelving tasks will increase as they will no longer be issuing and discharging items. UNISON thinks this is not an ‘add on’ service and would replace jobs. UNISON therefore thinks this is job substitution.

- Assists with displays

JD ‘Prepares displays and contributes ideas to display programme. Selects according to guidelines, stock from the shelves through displays’ (5%)

The library service no longer has the resources to purchase on a regular basis book collections for displays. Our members have been asked to assist in ‘plugging the gap’ by planning, organising stock and producing displays. As the library newsletter can attest this has been adopted and embraced by library and information assistants.

“Creating displays adds interest to my daily tasks and increases my stock knowledge. I know what will issue and can produce displays on current events and trends.

Promoting a particular stock area increases issue statistics”

- Somerset County UNISON member

SCC plans to introduce RFID technology in 2012/2013 therefore members can see a high probability of an increase in this task. UNISON thinks this is not an ‘add on’ service and would replace jobs. UNISON therefore thinks this is job substitution.

Volunteer Training

Volunteers are not free. SCC needs to consider carefully the costs of developing and maintaining a volunteer programme. There needs to be an infrastructure for recruitment, training and support of volunteers. There can be a considerable turnover of volunteers, which may threaten service delivery and continuity. Systems must be in place to monitor the effectiveness of using volunteers.

UNISON members report that the amount of training required will be significant. UNISON members agree there is a lack of staff capacity. UNISON doubts that one new post – Community Engagement Officer on a fixed term contract will be sufficient. There are 23 retained libraries and potentially another 11 community supported libraries.

UNISON members work on minimum staffing levels. There is no spare capacity in their working day. In particular this issue is of concern to managers who currently induct and train library staff.

It will be important for the library staff to keep under review the level of work required of them in managing volunteers and to ensure that appropriate action is taken so that it remains a manageable part of the overall workload.

“Training will not be a one off. Further on the job training for specific skills and changes to procedures will be needed”

- Somerset County UNISON member

Increased pressure and responsibility on frontline staff

Volunteers could very well lead to increased pressure on UNISON members. UNISON members tell us they are concerned and worried about the effect this can have on their health, safety and welfare.

In the paper SCC says, ‘although volunteers are not being considered for front counter roles in retained libraries...’ This indicates this has been considered and would in UNISON’s view be job substitution. At the JCC on the 23rd May management mentioned Frome library. It could be proposed that the staff are stretched to cover periods when the TIC is open. It was suggested TIC staff could assist with enquiries. UNISON requests an update on this proposal.

“I wish to make it clear that SCC does not propose the changes by adding volunteers to ease some of my workload. We are working at full capacity. I worry about extending opening hours and having to work with only volunteers”

- Somerset County UNISON member

Data Protection

There is no current IT package on the market for SCC to purchase for use by volunteers. Fallback could be used but this would create a two-tier service for our library customers. Fallback was not designed for that purpose. Warwickshire County Council have taken the view that volunteers accessing their library computer system would contravene the Data Protection Act.

UNISON questions on library volunteers requiring a written response from Somerset County Council

- Section 6.2. SCC says it has completed specifying tasks for volunteers to carry out in both retained and community libraries and a training programme for this. We would like clarification that this is the document issued on the 25th May.
- How will SCC ensure that volunteers are genuine and that the lines between voluntary work and employment rights are not blurred?
- Are volunteers proposed as substitutes for jobs currently filled by paid library staff? If so there may not be a genuine redundancy situation. Volunteer roles should complement the jobs of paid library staff rather than replace established posts or cover staff vacancies and shortages.
- Volunteers are not free – this is a common misconception. SCC needs to think carefully about the costs of developing and maintaining a volunteer programme. How will the appropriate infrastructure to provide recruitment, support and training be established and managed?
- Has SCC costed the level of investment needed in terms of support and training for volunteers?
- Has SCC considered their legal duties towards volunteers? These include ensuring Criminal Records Bureau (CRB) checks, completion of risk assessments and ensuring sufficient levels of insurance cover. Furthermore, SCC may also be liable under equality legislation for the actions of volunteers if they unlawfully discriminate against a service user.
- Are SCC volunteers entitled to the National Minimum Wage?
- Will SCC issue volunteers with task descriptions?
- Who will conduct health and safety risk assessments and training?
- Who will ensure volunteers co-operate with health and safety policies?
- Who will ensure volunteers co-operate with equal opportunity policies?
- Will volunteers have a noticeably different badge to identify them?
- Who deals with volunteer compliments and complaints?
- What happens if volunteers do not turn up?
- Will there be a comprehensive written volunteer policy?
- Will there be a level of training set prior to volunteers doing the job?
- Has SCC considered the level of supervision required and factored in how time consuming and expensive this will be?
- Has SCC made a decision on day-to-day line management in libraries for volunteers?
- A named supervisor will be required who is responsible for supporting volunteers. This would need to be at their base and not necessarily a telephone contact.
- Considered the impact on day-to-day work whilst assisting volunteers?
- Does SCC have any plans to use volunteers to undertake the work of paid library staff during industrial disputes?

- Will SCC be using the charter between Volunteering England and the TUC? <http://www.tuc.org.uk/workplace/tuc-17329-f0.pdf>

The charter's principles are outlined below:

- All volunteering is undertaken by choice and all individuals should have the right to volunteer, or indeed not to volunteer.
- While volunteers should not normally receive or expect financial rewards for their activities, they should receive reasonable out of pocket expenses.
- The involvement of volunteers should complement and supplement the work of paid staff and should not be used to displace staff or undercut their pay and conditions of service.
- The added value of volunteers should be highlighted as part of the commissioning or grant making process, but their involvement should not be used to reduce contract costs.
- Effective structures should be put in place to support and develop volunteers and the activities they undertake and these should be fully considered and costed when services are planned and developed.
- Volunteers and paid staff should be provided with opportunities to contribute to the development of volunteering policies and procedures.
- Volunteers, like paid staff, should be able to carry out their duties in safe, secure and healthy environments that are free from harassment, intimidation, bullying, violence and discrimination.
- All paid workers and volunteers should have access to appropriate training and development.
- There should be recognised machinery for the resolution of any problems between organisations and volunteers or between paid staff and volunteers.
- In the interests of harmonious relations between volunteers and paid staff, volunteers should not be used to undertake the work of paid staff during industrial disputes.

Bibliography

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- The view from the frontline. Results of the UNISON library staff survey
- Volunteer round-up news reports from UNISON
- SCC person specification for LAIS
- SCC job description for LAIS
- The value, impact and potential of public library services October 2010
- MLA What do the public want from libraries? November 2010

Somerset County UNISON July 2011