

Protecting Your Volunteer Program Through Risk Management



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Definitions



Risk

Risk is the potential for outcomes that are different from what you expect.

Risk Management

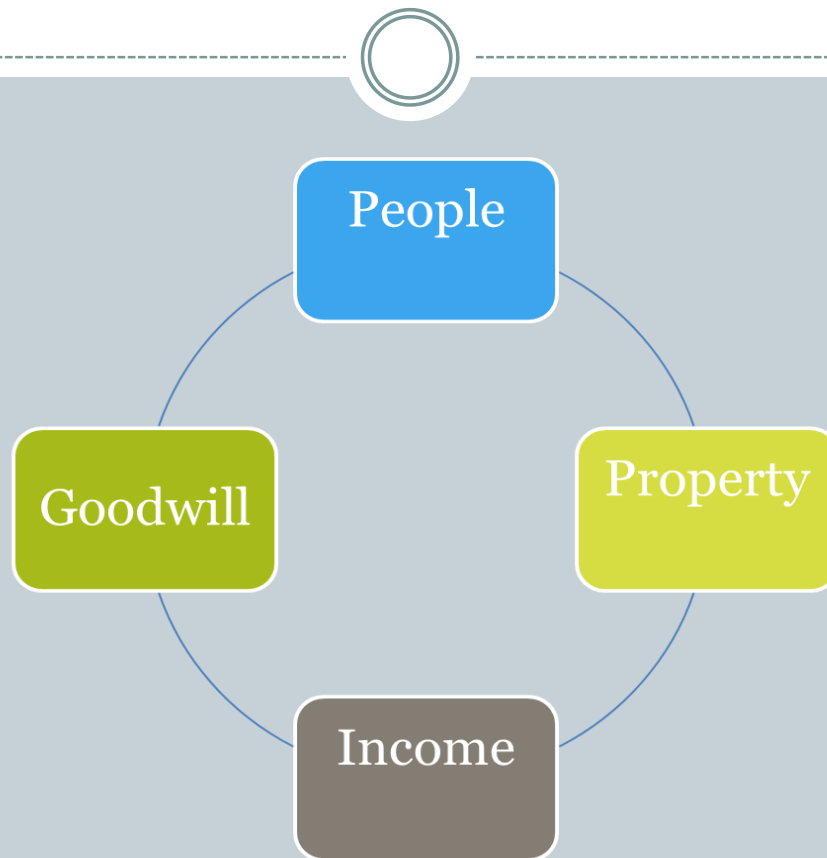
Risk management is the ongoing process of analyzing deviations from expectations and finding ways to minimize the likelihood of bad surprises, reducing the cost or negative consequences of losses, and increasing the chances of better than hoped for outcomes.

An Effective Risk Management Program



- Prevent and minimize risks – anything that could cause harm, injury or abuse to your organization
- Protect your organization, your constituents and your community
- Key contributors

What's at Risk?



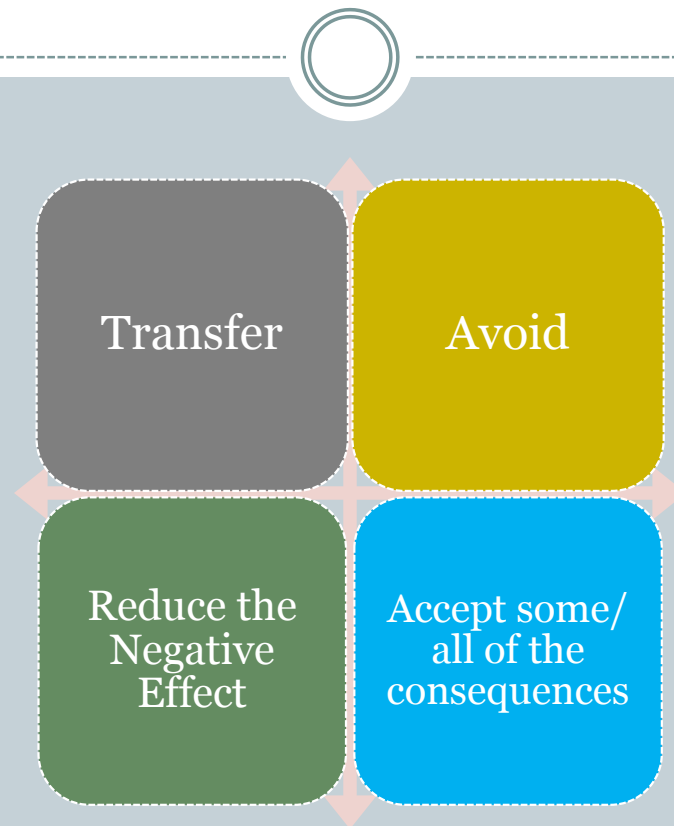
Areas of Potential Risk



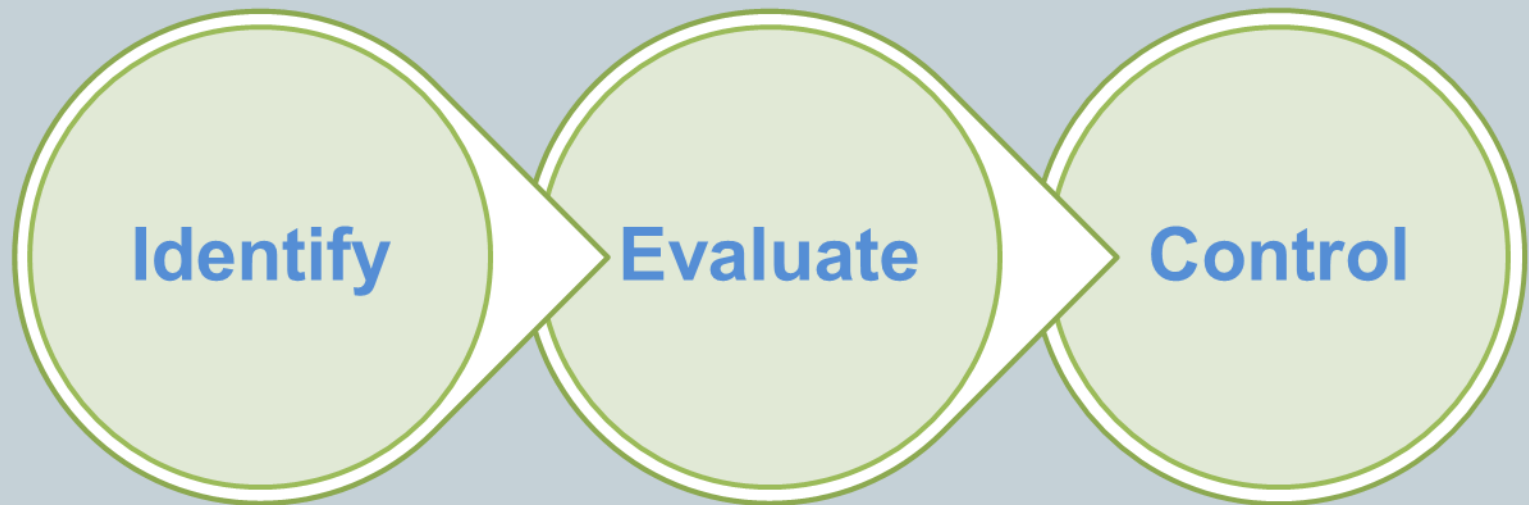
- Volunteer liability (Volunteer Protection Act)
- Organization's liability due to volunteer actions
- Organization's liability to volunteers (e.g., unsafe working conditions or discriminatory practices)
- Organizations liability to persons served by volunteers



Ways to Manage Risk



Three Principles of Risk Management



Identify Risk



- ✓ Review your organization for risk potential.
- ✓ Specify all risks that you can identify.
- ✓ What is the potential harm to employees, volunteers, clients?
- ✓ What is the potential harm to the organization from scandal or failure to meet community expectations?

The more risks you identify and plan for, the stronger and more cohesive your risk management program will be.

Evaluate Risks



- Classify the risks in one or more of the following categories
 - ✓ The risk must be prevented.
 - ✓ The risk can be prevented or controlled.
 - ✓ The risk is acceptable.
 - ✓ The risk requires insurance to limit exposure

Control Risks



- Create a plan for controlling risks.
 - ✓ Avoid the risk situation by not engaging in the activity.
 - ✓ Eliminate the risk by modifying the activity.
 - ✓ Minimize the risk by modifying the activity.
 - ✓ Transfer financial liability through contract or insurance.

Control Risks



Your risk reduction initiatives may include:

- Re-evaluating your insurance policy
- Developing new internal policies
- Upgrading your facility or equipment
- Ensuring you are receiving high quality background screening from your provider
- Implementing recurrent background checks for all volunteers
- Retraining volunteers or implementing a retraining schedule
- Amending processes to account for risk
- Creating practices to deal with risk-related incidents

Control Risks



Slips, Trips and Falls

Area tidy and free of clutter

Loose carpeting

Slippery Floors

Storage areas

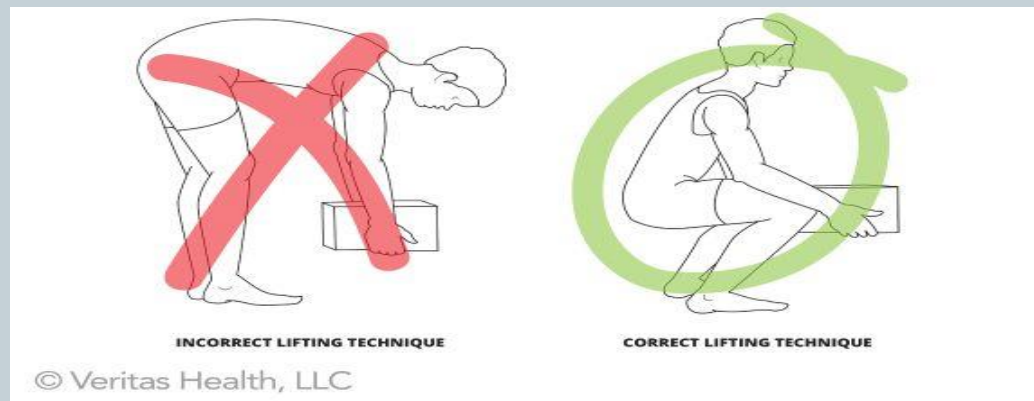
Provide wet floor signs and step stools



Control Risks

Back Injuries

Necessary training, equipment and reminders to prevent injury, proper lifting technique, access to the appropriate equipment if lifting heavy items is common



Control Risks



Motor Vehicle Accident

- Contact your insurance broker to determine what type and amount of insurance you should have
- Non-owned and hired automobile insurance often is appropriate in order to protect the organization
- Excess automobile liability coverage is available for the organization in order to protect the volunteers themselves



Three Principles to Remember



- There are inherent risks in running a volunteer program.
- Volunteer positions do not all have the same level of risk and therefore will have differing risk management strategies associated with them.
- Once the risk factors are identified in a volunteer position, preventive strategies should be incorporated into the position description, screening, orientation, training and supervision of that position.

What's More Risky



- **Lower Risk**
- Event planning and assistance
- Office/admin. support
- Speaker's bureau
- Sorting/distributing food, clothing
- **Higher Risk**
- 1-1 Mentoring/tutoring
- Home visiting
- Transportation
- Survivor/victim assistance
- Meal delivery
- Board membership

Risk Evaluation Matrix



Risk	Probability	Severity	Assessed Risk
Volunteer suffers a minor injury	Almost certain	Insignificant	Low
Volunteer suffers a major injury	Unlikely	Major	High
Volunteer commits fraud or theft	Unlikely	Major	Moderate
Volunteer assaults or abuses someone	Remote	Catastrophic	High
Volunteer causes a car accident	Possible	Major	Extreme
Organization fails to provide adequate training	Possible	Minor	Moderate
Organization doesn't take appropriate action in the event of an incident	Possible	Major	Extreme

Key Components of Risk Management



1. Create a Plan – Incorporates policies, processes, procedures and practices for each potential risk
2. Implement Policies – Formal documentation of how you intend to reduce or eliminate risks
3. Develop Processes – The frontline actions and steps that your volunteer management team will take
4. Review Practices – Identify best practices to follow for each risk and incorporate them to improve the quality and effectiveness of your risk management program.

Policies and Procedures



- Recruiting – Detailed Job Descriptions
- Screening to include: application, background checks, interview, reference checks)
- Supervision
- Orientation
- Training
- Waiver forms
- Confidentiality
- Insurance

Confidentiality

Health Insurance Portability and Accountability Act of 1996



- Privacy Rule - governs the use and disclosure of protected health information (PHI), whether in oral, written or electronic form.
- Security Rule – Safeguards to ensure the confidentiality, integrity and security of electronic PHI.
- Breach Notification Rule - sets nationwide notification standards when a breach of unsecured (i.e., unencrypted) PHI is discovered.

HIPAA Privacy Training



- All covered entities must provide training to all members of its workforce on the organization's policies and procedures for protecting PHI. [45 C.F.R. § 164.530(b)(1).]
- Volunteers must be treated by the organization just like other members of the workforce for purposes of HIPAA training.
- The Privacy Rule gives needed flexibility for providers and plans to create their own privacy procedures, tailored to fit their size and needs.

HIPAA Security Training



- Covered entities must implement a security awareness and training program for all members of their workforce (including management) concerning the HIPAA Security Rule.

Volunteer Liability Protection



- Most State Statues Limit Volunteer Liability
- Organization May Purchase Insurance
- Personal Insurance –In most situations volunteer’s homeowner’s insurance and automobile insurance is considered ***primary*** liability insurance.

Volunteer Liability Protection

Federal Volunteer Protection Act of 1997



- The volunteer was acting within the scope of his/her responsibilities
- The volunteer, if appropriate or required, was properly licensed, certified or authorized to act in the state in which the harm occurred

Volunteer Liability Protection

Federal Volunteer Protection Act of 1997



- The harm was not caused by willful or criminal misconduct, reckless misconduct, gross negligence, or a conscious, flagrant indifference to the rights or safety of the individual harmed by the volunteer
- The harm was not caused by the volunteer operating a motor vehicle, vessel, aircraft, or other vehicle requiring the operator or owner to possess an operator's license or maintain insurance

Volunteer Liability Protection



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References



<http://verifiedvolunteers.com/~media/Verified%20Volunteers%202/Resources/WhitePapers/Risk-Management-For-Your-Volunteer-Program-Whitepaper.pdf>

Points of Light – Volunteer Management Training Series

Nonprofit Risk Management Center
<https://www.nonprofitrisk.org/>

Nonprofit Risk Management Plan. National Council of Nonprofits
<http://www.niqca.org/documents/Sample-Risk-Management-Plan.pdf>

Wrap-Up



- Questions
- Take-Aways
- Adjournment

Thank you.



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