



## *Volunteer's Job Description*

### *Why LawCare?*

It has been widely accepted, for a number of years, that stress, depression and addictive illnesses such as alcoholism, drugs, gambling and eating disorders (to name but a few) are significant factors in disciplinary matters and negligence claims. Such illnesses destroy careers and businesses, they affect the image of the profession and lead to misery for the affected solicitors and their families, not to mention the problems created for their professional colleagues.

### *What is LawCare?*

LawCare is a registered charity, number 1061685 in England and Wales and SCO39335 in Scotland. Funding is provided by the professional bodies of the legal groupings and professions covered by LawCare's services. Those covered are as follows:-

- England and Wales – Solicitors, Barristers, Judges, Legal Executives, Barristers' clerks and Paralegals
- Ireland – Solicitors and Barristers
- Northern Ireland – Solicitors, Judges and Barristers
- Scotland – Solicitors and Advocates
- Isle of Man – Advocates.

The Charity is governed by a Board of Trustees, who meet regularly. Hilary Tilby is the Chief Executive and she is responsible for the day-to-day running of the charity. She is supported by three co-ordinators - Trish McLellan, coordinator for Scotland; Ann Charlton, coordinator for England and Wales; and Mary Jackson, coordinator for Ireland. There is also an administrator, Anna Buttimore.

### *How LawCare Works*

Five confidential helplines are operated from 9 a.m. to 7.30 p.m. each weekday and 10 a.m. to 4 p.m. at weekends and Public holidays in England and Wales. All those in need of help, as well as their family members, colleagues, and employees may call these helpline for assistance.

Callers to the helpline are offered confidential and non-judgemental support, information about any relevant illness or impairment, referral to appropriate professional help (such as counselling or inpatient treatment), and may be offered the assistance of a volunteer. This means we ask a volunteer to work directly with the impaired lawyer in order to support him or her through their recovery and / or rehabilitation.

Ideally the volunteer will have suffered, and recovered, from the same impairment, or been through a similar experience, either personally, or with a member of the family or a friend . Through regular contact, either by phone or in person (that is for the volunteer and the caller to decide), the volunteer will guide the person they are helping through the process of recovery, sharing the benefit of their experience where appropriate, and reporting to LawCare on progress made.

## *Who can be a Volunteer?*

Volunteers should be Solicitors, Barristers, Advocates, Judges or Legal Executives, although they need not be practising, and may be in training. Ideally, volunteers will themselves have recovered from an impairment such as alcoholism or depression, or have knowledge and experience of it through another means. Volunteers are asked to help people who are often going through a traumatic time, and we recognise that this can be extremely difficult. The well-being of our volunteers is important to us, and so for their protection **we ask that anyone applying to become a LawCare volunteer has been sober or symptom-free for a minimum of two years.**

## *Confidentiality*

Confidentiality and anonymity are essential for effective assistance for those in our profession who need our help, and we expect volunteers to honour this need for confidentiality in those they support. We undertake to maintain the confidentiality of our volunteers' identities also, and will never give out your full name or telephone number without your permission. In addition, volunteers acting for LawCare are specifically exempted from practice rule 20.4 (in England and Wales) and 7.8 (in Ireland) which is the duty of a lawyer to report the misconduct of another to the Solicitors Regulation Authority or the Law Society.

## *The Role of the Volunteer*

The primary responsibility of the volunteer is to the impaired individual concerned and his/her welfare. To this end the volunteer should use his or her best endeavours to:

- Maintain regular contact with the individual, either by phone or in person.
- Encourage the person to establish a routine of regular attendance at appropriate group meetings or other appropriate sources of support, such as counselling sessions.
- Report progress to us regularly.
- If any problems arise, or the volunteer believes the person they are helping needs more professional support than they can supply, consult with a LawCare staff member as soon as possible.

**Please note** that it is not any part of LawCare's function to give legal advice. People asking for this should normally be referred to other appropriate sources of help. The volunteer's role is to befriend, support and assist, not to provide legal or practise advice.

Volunteers may claim for any expenses incurred in undertaking their duties as a volunteer.

No case will be referred to a volunteer without prior discussion as to the nature of the case and the volunteer's availability and willingness to undertake it. Volunteers are always at liberty to refuse to accept a case without giving a reason, or, if already engaged in a case, to ask that their support be terminated and another volunteer assigned. At present, volunteers receive an average of 2-3 referrals per year. When a referral is made, we send out a Volunteer Referral Form which confirms the contact details and other information regarding the case.

## *Training*

Since the primary role of volunteers is that of befriender and supporter, extensive training, for example in counselling, is not considered necessary. All new Volunteers are sent the Volunteer's Handbook which includes advice on befriending and using counselling skills. Volunteers also receive a regular newsletter, *The Helping Hand*, with articles relevant to volunteering and other information of interest to LawCare volunteers, and details of occasional training sessions. We always make it clear to helpline callers that volunteers are not professional counsellors.



## **POLICY ON THE USE OF VOLUNTEERS**

### **The Volunteer Programme**

#### 1.1 Overall Policy on Use of Volunteers

The achievement of the goals of LawCare is best served by the active participation of members of the legal community. To this end, LawCare accepts and encourages the involvement of volunteers, particularly in the delivery of advice and support to lawyers.

#### 1.2 Purpose of the Volunteer Policy

The purpose of the policy is to provide overall guidance and direction and does not constitute, either implicitly or explicitly, a binding contractual or personnel agreement. LawCare reserves the exclusive right to change any aspect of the policy at any time with the approval of the Board of Trustees.

#### 1.3 Scope of the Policy

Unless specifically stated, the policy applies to all volunteers in all aspects of the work undertaken by LawCare.

#### 1.4 Definition of "Volunteer"

A volunteer is anyone who without compensation or expectation of compensation, beyond reimbursement of expenses incurred in the course of his or her volunteer duties, performs a task at the request of and on behalf of LawCare. Volunteers must be officially accepted by LawCare prior to performance of their duties.

#### 1.5 Employees as Volunteers

LawCare accepts the services of its own staff and/or trustees as volunteers. This service is accepted provided that the volunteer service is provided totally without any coercive nature, involves work which is outside the scope of normal duties, and is provided outside usual working hours.

#### 1.6 Service at the Discretion of LawCare

LawCare accepts the service of all volunteers on the understanding that such service is at the sole discretion of LawCare. LawCare may at any time, for whatever reason, decide to terminate a volunteer's relationship with LawCare. Similarly a volunteer may at any time, for whatever reason, decide to sever their relationship with LawCare. Notice of such a decision should be communicated as soon as possible by or to any employee of LawCare.

#### 1.7 Volunteer Rights and Responsibilities

Volunteers are viewed as a valuable resource to LawCare, its staff and its clients. They will be extended the right to be given meaningful assignments and the right to recognition for work done. In return, volunteers will agree to actively perform the duties allocated to them to the best of their abilities and to remain loyal to the values, goals and procedures of LawCare.

### **2. Volunteer Management Procedures**

#### 2.1 Maintenance of Records

A system of records will be maintained on each volunteer, including dates of voluntary service and duties performed. Volunteers and appropriate staff will be responsible for submitting appropriate records and information to the Chief Executive / Co-ordinators in a timely and accurate fashion. Volunteer records will be afforded the same confidentiality as client and staff personnel records.

#### 2.2 Conflict of Interest

No person who has a conflict of interest with any activity or programme of LawCare, whether personal, philosophical or financial, may be accepted or serve as a volunteer.

### 2.3 Representation of the Organisation

Volunteers will have no authority to represent LawCare in any interviews with the media. If they are at any time approached to take part in a programme or give an interview they must discuss the position with the Chief Executive / Co-ordinators beforehand.

### 2.4 Confidentiality

Volunteers are responsible for maintaining the total confidentiality of all information to which they are exposed while serving as a volunteer whether this information involves staff, other volunteers, clients or other persons or involves the overall business of LawCare.

### 2.5 Supervision

Management of the volunteers will be primarily the responsibility of the Administrator. A Board member shall be appointed to liaise with them and such Board member shall have the primary responsibility of reporting to the Board on recruitment, management and all other matters relating to the effective use of volunteers.

## **3. Volunteer Recruitment and Selection**

### 3.1 Job Description

Volunteers need a clear, complete and current description of the duties and responsibilities of the tasks which they have volunteered to fill. A job description for each volunteer post should be given to each volunteer when accepted and used in any subsequent management and evaluation activities. This should be in the form of the Volunteers' Manual.

### 3.2 Recruitment

Volunteers will be recruited by LawCare on a proactive basis with the intention of expanding volunteer involvement in LawCare's work. They will be recruited without regard to gender, race, disability, religion, age or sexual orientation. The sole qualification for volunteer recruitment will be suitability to perform a task on behalf of LawCare. Volunteers may be recruited either through an interest in specific activities or through a general interest in volunteering which may later be matched with specific functions.

### 3.3 Procedure

Prior to being recruited all prospective volunteers will complete an application form in the form attached hereto. References will be taken up to ensure the suitability of the prospective volunteer, and protect users of LawCare's service.

### 3.4 Placement

In appointing a volunteer to a position, attention shall be paid to the interests and capabilities of the volunteer and to the requirements of the particular position.

### 3.5 Acceptance and Appointment

Service as a volunteer with LawCare will begin with an official letter of appointment and they will be supplied with a copy of the Volunteers' Handbook. No volunteer will begin performance of any task until they have been officially accepted and have completed all necessary screening and paperwork.

## **4. Volunteer Training and Development**

### 4.1 Orientation

All volunteers should receive a general orientation on the general nature and purpose of the organisation, an orientation on the nature and operation of the programme or activity for which they are recruited, and a specific orientation on the purposes and requirements of the tasks for which they are recruited. This orientation may be personal by interview or by telephone or in writing in the form of the Volunteers' Handbook.

### 4.2 Training

Training courses will from time to time be organised with a view to providing volunteers with the information and skills necessary to perform their volunteer assignments. Timing and methods of delivery of

such training should be appropriate to the complexity and demands of the position and the capabilities of the volunteer concerned.

#### 4.3 Staff Involvement

The staff should have an active role in the design and delivery of both the orientation and training of volunteers.

#### 4.4 Volunteer Involvement

Experienced volunteers should be included in the design and delivery of volunteer orientation and training where appropriate.

#### 4.5 Continuing Education

Additional training and educational opportunities should be made available to volunteers during their connection with LawCare where it is deemed necessary or appropriate. This continuing education process may include both additional information on performance of their current volunteer assignment as well as more general information, and might be provided either by LawCare or by assisting the volunteer to participate in more educational programmes provided by other groups or organisations.

### **5. Supervision and Evaluation**

#### 5.1 Supervision

Primary responsibility for supervision of volunteers will rest with the Chief Executive and/or Co-ordinators with ultimate responsibility resting with the appointed Board member. The supervisors will be responsible for the day to day management and guidance of the work of the volunteer, and they will be available to the volunteer for consultation, help and advice.

#### 5.2 Corrective action.

In appropriate situations corrective action should be taken following an evaluation. Examples may include the requirement for additional training, reassignment to a new position or dismissal from volunteer service.

#### 5.3 Dismissal of a Volunteer

Volunteers who do not adhere to the rules and procedures of the organisation or who fail satisfactorily to perform their volunteer assignment may have their appointment terminated. No volunteer relationship will be terminated until the volunteer has had an opportunity to discuss the reasons for dismissal with the supervisory staff.

#### 5.5 Reasons for dismissal

Possible grounds for dismissal may include, but are not limited to, the following: gross misconduct or insubordination, being under the influence of alcohol or drugs, abuse or mistreatment of clients, failure to abide by LawCare's policies and procedures, and failure to satisfactorily perform assigned duties.

#### 5.6 Resignation

Volunteers may resign from their volunteer service with the organisation at any time.

### **6. Volunteer Support and Recognition**

#### 6.1 Reimbursement of Expenses

Volunteers are eligible for reimbursement of reasonable expenses incurred while undertaking work for LawCare. Prior approval must be sought for any expenditure exceeding £15.

#### 6.2 Insurance

Volunteers engaged in LawCare's business are covered under LawCare's liability and accident insurance.

#### 6.3 Recognition

All staff responsible for volunteer assignment and supervision are encouraged to undertake methods of recognition of volunteers service on a regular basis throughout the year. These should range from a simple "Thank you" to a concerted effort to include volunteers as full participants in decision making and implementation for projects which involve volunteers.



## Who Cares for the Carer?

### **Counselling Care**

#### *What is it?*

Dealing with helpline calls and seeking to help people with their problems can be both stressful and draining emotionally. LawCare recognises this as a potential problem area for both staff and volunteers and we have therefore arranged through our insurers 24 hour access 365 days a year to a telephone counselling service. This will enable you to speak with a professional counsellor who will ensure that you have time to talk through your concerns and feelings and help to clarify the practical and emotional issues. It is hoped that the support given by a counsellor will be beneficial during any difficult times.

The only information which you will need to divulge is the scheme code number. This guarantees total anonymity. The service can be used any time you wish and as many times as you wish. However please bear in mind that you will not always be speaking to the same individual and the service should not be treated as a cheap form of ongoing therapy.

#### *Who provides it?*

This is an initiative with the Care Assist Group through our insurers. All telephone counsellors are qualified experienced members of the British Association for Counselling and they fully adhere to the association's code of practice and ethics. Amongst other things this guarantees the independence and integrity of the service.

#### *Who can use it?*

This service is available to all staff and volunteers of LawCare. In addition we have been able to arrange that the service is also available to their immediate family and relatives.

#### *How do I use it?*

Simply telephone the 24 hour helpline number and quote the scheme code number. (These numbers will be given to you when you are accepted as a volunteer.) You do not need to disclose any further information.



## Application for Appointment as a Volunteer

**All information on this form will be kept entirely confidential.**

### *Part 1 – Personal Details and Referees*

<i>Full Name</i>		<i>Title</i>	
<i>Address (including postcode)</i>			
<i>Telephone (Home)</i>		<i>Telephone (Work)</i>	
<i>Mobile</i>		<i>Email</i>	
<i>Date of Birth</i>		<i>Date of Admission</i>	
<i>Please indicate whether you are a Solicitor, Barrister, Legal Executive, Advocate, etc and Partner, Sole Practitioner, etc.</i>			

*Because of the sensitive nature of our work LawCare takes up references on all potential volunteers before they are accepted. Please provide below the names and addresses of two referees who will be required to comment on your good standing and reputation. These should not be members of your family, and one of them should be a lawyer. Please write clearly and ensure contact details are up to date.*

<i>Name, address (including postcode) and email address of business referee.</i>	<i>Name, address (including postcode) and email address of personal referee</i>

***Part 2 – How You Can Help***

Impairment	I am able to help callers with this problem (Yes / No)	I have experience of this problem myself (with 2+ years' recovery)	Details of personal experience (continue on a separate sheet if necessary).
<i>Alcohol</i>			
<i>Stress</i>			
<i>Clinical Depression</i>			
<i>Workplace bullying</i>			
<i>Disciplinary proceedings</i>			
<i>Redundancy / Career Change</i>			
<i>Divorce / Relationship Issues</i>			
<i>Serious physical health issues or injury</i>			
<i>Abuse</i>			
<i>Drugs</i>			
<i>Eating Disorders</i>			
<i>OCD</i>			
<i>Bereavement</i>			
<i>Debt / Bankruptcy</i>			
<i>Sole practice</i>			

<i>Do you have any training or experience in counselling? Please give details.</i>	
<i>Please state why you wish to be considered for appointment as a volunteer, and in particular the specialist knowledge/qualities which you could provide.</i>	

**Part 3 – Confidentiality Undertaking**

**UNDERTAKING**

I, \_\_\_\_\_, understand that if I am accepted as a LawCare volunteer:-

- \* I may obtain confidential information about Solicitors, Barristers, Judges, Legal Executives, law students and others and that
- \* Maintaining confidentiality is critical to the continued success of LawCare in its efforts to assist impaired lawyers.

I therefore hereby undertake that I will treat all information received in my role as a LawCare volunteer in total confidence, with regard to both the nature of the problem and the identity of the client, save for reporting back to LawCare on the progress of my assistance to the client. I further agree that I will uphold and support the programme philosophy and policies of LawCare. I agree that I am bound by this undertaking from the date of my signature forward.

Fully understanding these obligations of confidentiality, I hereby apply to be a volunteer for Lawcare.

Signed \_\_\_\_\_

Date \_\_\_\_\_

Signature of Witness \_\_\_\_\_

Date \_\_\_\_\_

Return this form to: PO Box147, BENFLEET, SS7 3WX, UK or [admin@lawcare.org.uk](mailto:admin@lawcare.org.uk).

If returning this form by email, please note that signatures are required on the Undertaking in part 3. Please use a signature image if available, or print and sign the form, then scan the signed form and email as a PDF file.