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# Volunteer Internships in the Voluntary Sector

Review and guidance

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# Foreword

Many charities rely, rightly, on the involvement of volunteers in every aspect of their work. It's a distinctive feature of even very large charities that adds great value and meaning to their work. Millions of us in the UK volunteer regularly. From the volunteer board of trustees who govern the charity, to volunteers in operations and fundraising, volunteers are crucial in different ways to many of our best-known charities.

A relatively novel development is the description of some volunteer roles in charities as 'internships'. The term is normally used to refer to volunteer roles in a charity's headquarters, predominantly policy and campaigning functions.

We know that many charities have adopted the term 'intern' because it's attractive to potential volunteers. Many young people in the current economic climate see it as important to gain as much experience as possible.

There is a lack of empirical evidence but the consensus is that the number of volunteer interns charities are recruiting has increased in recent years, perhaps as a consequence of stretched funding and the growing availability of potential volunteers in a tough employment market for young people.

We are concerned that some charities have come to rely on interns' enthusiasm but have not always done enough to support them. No charity sets out to exploit volunteers but there is a concern that some have come to rely on volunteer interns to carry out tasks that do not offer them the development opportunities that the term 'intern' will have lead them to expect.

Volunteers in all sorts of contexts volunteer in order to gain skills and experience – there is nothing particular about internships in this way. Charities must be mindful of the precarious position that some of these young volunteers may be in, financially and in terms of their employment prospects. It is important that charities do not allow themselves to take advantage of their enthusiasm and need to gain work experience.

It is undoubtedly positive for charities to involve volunteers in all aspects of their operations. But calling a volunteer an 'intern' sets up expectations about professional development – and those expectations have to be met. Volunteering, in all its forms, has to be a two-way relationship.

In this guide we review some of the legal and ethical issues for charities in involving volunteers.

The principles we set out can be applied to charities and other voluntary organisations of all types and sizes. In an appendix at the end of the report, we summarise some of the research and opinions on the topic of internships.

## Voluntary Internships in the Voluntary Sector

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The voluntary sector should aspire to the highest standards in treating staff and volunteers well. I hope that this guidance will prove useful in ensuring volunteer interns have a high-quality and useful experience in our sector.

**Justin Davis Smith**  
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**NCVO**

# Context

Voluntary organisations offer a wide range of different volunteering roles, from one-off opportunities at events and micro-volunteering, to more regular and long-term roles. Although there are a diverse range of roles on offer, what they have in common is that they all meet the widely accepted definition of volunteering. In recent years, some charities have included volunteer internship opportunities in their volunteering offer. This is because they have found it valuable to offer volunteering opportunities with a stronger skill-development focus and because describing a position as an 'internship' has been found to attract more volunteers. The focus on employability within volunteer internship opportunities makes them particularly attractive to young people at the start of their careers. 'Volunteer internships' has also been a useful term to describe a volunteering opportunity that may involve supporting a specific project or area of work in an organisation with a clear start and finish.

NCVO takes the view that effectively managed volunteer internships can play a positive role as part of an organisation's overall volunteering programme. They can complement other volunteering roles available, offering more structured opportunities for training and development that can be valuable for those first steps towards employment in the sector. We know that volunteering can provide a valuable pathway to employment, and volunteer internships are one approach to doing this that can work for both volunteers and organisations.

However, only high quality, effectively managed volunteer internships can achieve this positive impact for both volunteers and the organisation. Charities should be rigorous in ensuring that volunteer internships are developed and managed in line with good practice in volunteer management. Good practice in volunteering starts with developing meaningful, appropriate roles, and so organisations should be clear and confident about why they are developing volunteer internships. This will include considering the current concerns and debates raised and acknowledged in this paper about the negative impact they may be having on equality of opportunity and social mobility. However, research into volunteer internships in the voluntary sector is limited.

In the debate on this issue some argue that there is no place for volunteer internships and have called for all internships to be paid. Bearing in mind the evidence available and the scrutiny currently placed on such roles, it is important to be able to justify why such roles should be voluntary and not paid, and to be sure of a good strategic and practical fit within the organisation and its values. This includes, for example, ensuring that involvement of volunteers complements and supplements the work of paid staff and that volunteer interns are not used to displace paid staff or undercut their pay and conditions of service. For this reason there is a distinction to be drawn between volunteer internships that are genuine volunteering opportunities and unpaid internships. Unpaid internships that are in effect a job rather than a genuine volunteering opportunity should be paid, regardless of sector. Many charities have a commitment to promoting social justice and equality, and NCVO believes that volunteering can play an important role in meeting these goals. But poor practice in recruiting or involving volunteers,

whether as interns or in any other capacity, risks the reputation of both the individual charity and the whole voluntary sector. Volunteering is not free and requires investment to flourish. Volunteer intern programmes will require organisations to resource them appropriately if they are to provide a meaningful and fulfilling experience.

It is important to acknowledge that this is a developing issue and the relationship between the voluntary sector and internships goes beyond volunteering. Some charities have benefitted from funds raised through auctions of internships in the private sector. There is a website dedicated to providing a platform for this in the US<sup>1</sup> called CharityBuzz, and recently in the UK at The Independent's Christmas charity fundraiser, a two-week internship with a TV production company was auctioned for £2051.90.<sup>2</sup> Although beyond the scope of this guidance, the auction of internships for the benefit of charities is an important part of the wider context of the debate, and the practice threatens to bring charity involvement with internships into disrepute. NCVO would advise voluntary organisations to avoid being involved in such activity because of the way in which it perpetuates the existence of exclusive internships that are only accessible to a wealthy few. In addition it poses a risk to the reputation of the charity involved. Trustees should seek to challenge these kinds of practices in their organisation and examine them in the light of their organisational values.

In this brief guide we set out some of the concerns that have been raised about volunteer internships and offer a list of principles that voluntary organisations should follow to ensure they address these concerns and meet best practice. We are grateful for the input from a number of charities, listed below, who have shared their experience of offering volunteer internships and their views on good practice to help develop this guidance. We think this positive collaboration represents a desire in the voluntary sector to offer high quality volunteering opportunities and to strive to continue to improve the volunteer experience.

### Thanks to

Cancer Research UK

Macmillan Cancer Support

Marie Curie Cancer Care

The National Trust

RSPB

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<sup>1</sup> [www.theguardian.com/film/2014/aug/15/harvey-weinstein-company-auction-unpaid-internship-charity](http://www.theguardian.com/film/2014/aug/15/harvey-weinstein-company-auction-unpaid-internship-charity)

<sup>2</sup> [www.theguardian.com/voluntary-sector-network/2014/may/08/auctioning-glamorous-unpaid-internships-charity](http://www.theguardian.com/voluntary-sector-network/2014/may/08/auctioning-glamorous-unpaid-internships-charity)

# What is an internship?

First it is important to be clear about the legal position regarding internships. The important starting point when thinking about internships is to recognise that the term 'intern' has no basis in UK law. There is no legal definition of an 'internship'.

This can cause confusion, but voluntary organisations should recognise that the legal position regarding internships is actually very clear – interns enjoy no special or unusual legal status. Instead anyone in a role labelled as an internship will, in legal terms, still be an employee, a worker or a volunteer. This is what HMRC refers to as a role's 'employment status'.<sup>3</sup> Establishing the 'employment status' of a role is important in understanding everyone's rights and responsibilities in relation to the role.

The legal status of an intern depends on the arrangements under which they are engaged by the organisation and how the role is managed. An intern will necessarily fall into one of the following categories.

- A worker or an employee, and therefore eligible for payment of the National Minimum Wage (NMW)
- A voluntary worker, expressly exempt in the legislation and not eligible for the NMW
- A volunteer, and therefore not eligible for the NMW

Organisations need to be clear about the employment status of their interns to ensure they fully understand any legal obligations they may have and to ensure expectations about the role between both parties are clear. This is an important first step to ensuring that interns are treated fairly and within the law.

## Can an intern be a volunteer?

A voluntary organisation can label a volunteer role a 'volunteer internship' but they would need to ensure that the role meets the criteria for a genuine volunteering opportunity so that legally the role would be that of a volunteer.

A volunteer internship position will be a genuine volunteering opportunity if:

- the activity being carried out by the volunteer falls within the commonly understood definition of volunteering as an activity freely undertaken 'that involves spending time, unpaid, doing something that aims to benefit the environment or individuals or groups other than (or in addition to) close relatives'

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<sup>3</sup> [www.gov.uk/employment-status/overview](https://www.gov.uk/employment-status/overview)

- the post-holder is not working under contract and therefore is not eligible to be paid the minimum wage or the post holder is working under contract, but the role falls within the voluntary worker exemption of the National Minimum Wage Act.

Interns who are volunteers should not have a certain number of hours imposed on them, but the time they spend volunteering should be mutually agreed based on their availability and around other commitments they may have. They cannot be compelled to turn up at a certain time, in contrast to an employee who would be contractually obliged to turn up for work. Volunteer interns can also leave a position whenever they like and would not be required to give notice, as with other volunteering roles.

### Distinctive features of volunteer internships

While volunteer intern roles vary significantly from one voluntary organisation to another, they tend to differ from other volunteering opportunities in a number of ways.

Volunteer intern roles tend to:

- have a stronger focus on personal and skill development
- be time limited, rather than open ended, and may involve supporting or delivering a distinct project
- be more structured
- be more attractive to those looking to develop skills, such as career changers and those looking for experience of the voluntary sector.

While a specific *type* of volunteering opportunity, it is important to recognise the distinctive offer provided by volunteer intern roles.



# Should charities take on volunteer interns?

NCVO believes that it is acceptable for voluntary organisations to take on volunteer interns provided they can ensure that:

- the opportunities provided are genuine volunteering opportunities
- the volunteer internship programme is seen as part of an organisation's wider volunteering policy
- the volunteers get the experience and support they expect and deserve
- that the organisation takes every opportunity to make the roles as accessible as possible.

Every organisation will need to come to its own decision on whether or not to offer volunteer internships. To aid these discussions we set out some of the issues to consider in the section below.

## Issues to consider

### Unpaid internships have been accused of being inherently exploitative

There is a concern that some organisations are abusing those who depend on them for their career prospects by requiring them to carry out unpaid labour. This concern is heightened when it is considered that a role offers a low level of opportunity for skills development. An associated concern is that internships, in being seen as essential in order to secure paid employment, are not actually volunteering – it becomes essential, or compulsory, to have undertaken this 'volunteering', and compulsion and volunteering are incompatible.

### Our assessment

Volunteer internships and other volunteering roles can have an important positive impact for volunteers and organisations. Volunteering in any form is a two-way relationship in which there must be benefits for both the organisation and the volunteer. Volunteering has been shown to have an important role to play in skills development and boosting an individual's employability (as our Volunteering for Stronger Communities project demonstrated<sup>4</sup>). We should not seek to exclude people from the positive benefits of volunteering and the development opportunities it offers.

Many volunteers in all sorts of roles have an interest in developing new skills, often in order to boost their career prospects. This is as true, for example, of a volunteer seeking a trustee role in order to gain board-level experience, or a volunteer taking a role in a charity that works in a field they are interested in as a future career. The volunteer role they undertake can be a way of

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<sup>4</sup> [www.ncvo.org.uk/practical-support/volunteering/volunteering-for-stronger-communities](http://www.ncvo.org.uk/practical-support/volunteering/volunteering-for-stronger-communities)

gaining experience, making contacts and demonstrating their commitment to a cause, so that they are well-placed to seek paid employment in the area.

There is nothing wrong in principle with asking volunteers to undertake tasks that do not require particular skills or experience, or roles that do not offer advanced opportunities to develop skills. However, when a voluntary organisation describes a volunteering role as an internship, it sets up a level of expectation regarding skills development, which it has a duty to then provide. As with any volunteering role it is crucial that expectations are clear on both sides.

In recruiting to a paid role it is not unreasonable for a voluntary organisation to ask applicants to demonstrate their interest in, and commitment to, the field in which they operate, so long as this is part of a fair and open recruitment process. They should also ensure that their process ensures they do not discriminate against those who may have just as great potential but not had the opportunity to undertake an internship or a voluntary role. Voluntary organisations should seek to avoid relying on the fact of having undertaken a voluntary internship to distinguish between otherwise equally well-matched candidates, and give due weight to other demonstrations of commitment or interest. This may include other voluntary roles and other experience, including that gained outside the sector, that may be relevant.

Voluntary organisations have a duty to pay anyone who is defined legally as an employee or a worker rather than a volunteer. If you take on a volunteer intern you must ensure that their role is clearly that of a volunteer, not an employee or worker, or you will be breaking the law. We provide further guidance on this in the next section.

NCVO believes that voluntary organisations should aim to be exemplary employers. This involves operating to high standards of integrity in dealings with staff. Abiding by employment law, including National Minimum Wage legislation, is the very minimum any voluntary organisation must do.

### Internships are exclusive

It is argued that unpaid internships, by being available only to those who can afford not to be paid, favour the middle class. It is argued that this will diminish diversity in the voluntary sector as those who have been able to undertake internships may also be favoured for paid work in the sector. There is a particular concern that internships offered at the headquarters of national charities in London further discriminate because those who cannot commute or afford to live in London, or who do not have access to free accommodation in London, are disadvantaged.

### Our assessment

Voluntary organisations should seek to ensure that their recruitment is specifically designed to attract a diverse range of applicants and ensure they are considering how they might adapt their approach to attract applicants from less well-represented backgrounds. There are a range of ways in which organisations can proactively recruit from less representative groups and try to improve

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accessibility to volunteering opportunities, eg through working with organisations who can reach those groups effectively.

Organisations that offer volunteering internships within London should consider carefully what might be done to ensure that the opportunities are open to all applicants, irrespective of economic means. This might include allowing some volunteering to be carried out at home or remotely.

Organisations that work nationally should also do what they can to ensure that volunteer internship opportunities aren't restricted to London and are available across their operational sites throughout the country.

Voluntary organisations should consider volunteer internships as part of a range of ways in which they could offer opportunities for skill development and learning, which could also include work experience placements and apprenticeships. This may open up opportunities for a more diverse range of people.

# Principles of good practice for volunteer internships

As with all other volunteering opportunities, organisations should involve and manage volunteer internships in line with principles of good practice in volunteering. Given the public concern about intern roles, voluntary organisations offering volunteer internships should take extra care to ensure their arrangements comply with volunteering good practice principles. Organisations can refer to the Investing in Volunteers quality standard<sup>5</sup> to identify the principles they should be considering in their overall approach to volunteering. Below we have identified six key principles of good practice that organisations should ensure they implement for volunteer intern roles and some guidance on how to go about implementing them.

## Key principles

1. Be clear what the role is and its purpose before recruiting.
2. Ensure that a volunteer internship is a genuine volunteering opportunity.
3. Make sure volunteering opportunities are genuinely inclusive and accessible.
4. Support volunteer interns in accordance with good practice standards in volunteer management.
5. Ensure that volunteer intern positions do not undermine fair recruitment procedures.
6. Provide opportunities for evaluation and regular feedback.
7. Recognise the contribution of volunteer interns.

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<sup>5</sup> [iv.investinginvolunteers.org.uk](http://iv.investinginvolunteers.org.uk)

# Implementing the principles

## 1. Be clear what the role is and its purpose before recruiting

Regardless of whether an organisation *intends* a role to be a volunteering role, a paid worker role or an employed role, the nature of the role and its relationship with the organisation will determine its actual legal status.

Voluntary organisations must be clear whether an intern position will be a volunteer, worker or employee role.

It is therefore critical that organisations think through in advance for each role:

- the intended purpose of the role
- the overall nature of the role
- the intended obligations expected of the organisation and the role
- the hours and commitment required to fulfil the role properly
- whether similar roles in the organisation are paid or voluntary – they should not be used to displace paid staff or undercut their pay and conditions of service.

This will help ensure that organisations are confident about whether they are creating a volunteer, worker or employee role. Clarity about the nature of the role ensures that legal obligations are met and that the role is properly designed and supported.

In recruiting to a position, an organisation should be up front about the nature of the role and clear about their process and reasons for making the decisions about the role or role(s) they offer.

It is important to remember that as well as offering internship roles there may be a range of other ways to offer opportunities for skill development and learning in your organisation. This may include opportunities like work experience placements or apprenticeships. A short description of each of these types of role are provided below and a link to further information is provided at the end of this guide. Organisations should consider these options as part of their decision-making process about what role is most appropriate and its fit with the organisation, and its mission and values.

### Work experience placements

The government defines work experience placements as ‘a specified amount of time that a person spends with your business, during which they have an opportunity to learn directly about working life and the working environment.’<sup>6</sup> Work experience is predominantly undertaken by young people looking for their first experience of the working environment or people who are unemployed. For example, Jobcentre Plus offers work experience for those aged 16-24 receiving Jobseekers allowance. Some qualifications and academic courses require students to complete a placement that is compulsory and part of the requirement of their study.

Although the context in which they are undertaken varies, all work experience should provide ‘hands-on’ experience of a job and the work environment.

Organisations offering work experience still need to consider the nature of the role and the requirements of the placement as this will determine their responsibilities in relation to National Minimum wage legislation.<sup>7</sup>

### Apprenticeships

Apprenticeships are available to anyone in England who is 16 or over, eligible to work in England and not in full-time education. Apprenticeships can take from one to four years to complete, depending on the level at which they are undertaken. They combine practical experience in a job alongside training. Apprentices earn a wage for the work that they do, and as part of the apprenticeship they study towards a qualification.

Apprentices are paid and the current minimum wage rate at the time of writing is £2.73 per hour.<sup>8</sup> This rate applies to apprentices aged 16 to 18 and those aged 19 or over who are in their first year. Apprentices aged 19 or over who have completed their first year must be paid at least the minimum wage rate for their age. Apprentices must be paid for their normal working hours (minimum 30 hours per week) and for the training that is part of the apprenticeship (usually one day per week). Holiday entitlement for apprentices is at least 20 days per year plus bank holidays.

For most apprenticeships there are a set of defined standards developed by employers that define the content that should be covered as part of the apprenticeship.

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<sup>6</sup> [www.gov.uk/national-minimum-wage-work-experience-and-internships](http://www.gov.uk/national-minimum-wage-work-experience-and-internships)

<sup>7</sup> [www.gov.uk/national-minimum-wage/who-gets-the-minimum-wage](http://www.gov.uk/national-minimum-wage/who-gets-the-minimum-wage)

<sup>8</sup> [www.gov.uk/national-minimum-wage-rates](http://www.gov.uk/national-minimum-wage-rates)

### Trainee schemes and programmes

Trainees are likely to be paid members of staff earning at least the National Minimum Wage. The role will be clearly advertised as an entry-level position in the organisation that has a strong training and skill-development element. They won't require a substantial level of previous experience or training so that these roles are accessible to those who may be new to this area of work or just starting their career. Organisations may also allocate a budget for training and development of trainees. They will usually be for a specific length of time and this will correspond with the length of the contract of employment with the organisation.

## 2. Ensure that a volunteer internship is a genuine volunteering opportunity

Where an organisation is clear that it is seeking to offer a volunteering opportunity, a clear process should be in place as part of the development of new roles to check that new volunteering opportunities are genuine volunteering roles and are not roles that should be undertaken by a paid employee. Charities should take professional advice where there is uncertainty about this and may, where appropriate, choose to consult with their union.

- In order to ensure that volunteer intern roles are genuine volunteering opportunities, charities need to recognise the following.
- Volunteering hours undertaken by a volunteer intern are not imposed on individual volunteers, but mutually agreed based on their availability and around their other commitments.
- Volunteers are not under contractual obligation. While an organisation can agree reasonable expectations with a volunteer, they cannot be compelled to turn up at a certain time, or at all.
- Volunteers are free to leave a volunteering placement whenever they wish – for example, they cannot be obliged to volunteer for a certain number of months or to give notice.
- Roles within organisations change and develop over time, and so it is important to review the status of roles and the nature of the relationship with the organisation on a regular basis. This can help to identify any potential issues early and ensure that there is always clarity about expectations.

### 3. Make sure volunteering opportunities are genuinely inclusive and accessible

Organisations should ensure volunteer internships are as accessible as possible, including to those who need to support themselves financially, claim benefits, study or care for others.

There are a number of steps organisations should take to increase the inclusivity of volunteer intern roles, including the following.

**Always pay out-of-pocket expenses.** Ensure volunteers are not out of pocket as a result of volunteering; this should involve reimbursing travel and lunch expenses, and travel expenses to interview and inductions.

**Offer part-time roles.** Ensure all volunteer internship roles are built with the capacity to be flexible around individuals' needs, and are advertised so as to encourage applications from a diverse range of backgrounds. This could include having scope to undertake the role over fewer days each week or outside normal office hours.

**Design roles to fit around other commitments.** Where possible, volunteer interns should be able to fit the role around work, study or other commitments. For example, organisations should consider if an intern has to be office-based or if they could carry out their role from home in the evenings after work or study.

**Set fair entry requirements.** Organisations should think through what experience or qualification they really need. For example, not requiring a degree or experience in the field, unless they are needed for the role, will open up a role to a wider range of applications.

**Be flexible on location.** Prevent discrimination against candidates based outside London by offering roles across the country, or think about flexible arrangements to allow interns to volunteer at home or remotely where possible.

**Limited length.** Limit volunteer internships to a set period of time and, where possible, be flexible about the length of an internship to suit the volunteer's personal circumstances.

**Advertise the role.** Ensure equal access by advertising each intern opportunity.

### 4. Support volunteer interns in accordance with good practice standards in volunteer management

All volunteers should be supported in accordance with widely accepted principles of good practice in volunteer management. Practice in this area should meet any internal or external quality standard the organisation has that underpins the organisation's approach to volunteering.



This should involve high quality support at all the key stages of volunteer involvement. It should include ongoing supervision; having a named person in the organisation to support, monitor and supervise the volunteer; and opportunities for catch-up meetings to discuss arrangements.

Volunteer interns are likely to be involved with staff and other volunteers from various teams. Organisations should ensure that all staff working with volunteers are encouraged to undertake volunteer management training in order to ensure volunteers are supported properly and appropriately.

Organisations wanting to enhance their volunteer management approach should consider pursuing Investing in Volunteers accreditation.

### **5. Ensure that volunteer intern positions do not undermine fair recruitment procedures**

Organisations should avoid implying that undertaking a volunteer internship in an organisation will lead to a paid opportunity within the same organisation, as this can be misleading and may be seen to be prioritising those with the means to volunteer.

Organisations may want to consider prioritising individuals who will benefit most from a volunteer internship when offering roles – particularly individuals with limited volunteering experience.

### **6. Provide opportunities for evaluation and regular feedback**

Organisations should seek feedback from volunteer interns regularly on their experience. This feedback and other elements of evaluation of opportunities should be used to help inform the development and improvement of practice. This could take the form of surveys, one-to-one meetings, exit interviews and ensuring that interns have a point of contact for voicing their concerns or suggested improvements.

Organisations should also have a clear problem-solving procedure in place, which is made available to volunteer interns as part of their induction. NCVO recommends that organisations sign up to the 3R promise<sup>9</sup>. Signing up to the promise represents a commitment on behalf of the organisation to work towards treating all volunteers fairly. The promise also identifies principles of good practice to help organisations design effective problem-solving processes to identify issues early and deal with them in a transparent and fair manner.

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<sup>9</sup> [www.ncvo.org.uk/policy-and-research/volunteering-policy/what-we-believe/volunteer-rights](http://www.ncvo.org.uk/policy-and-research/volunteering-policy/what-we-believe/volunteer-rights)

### 7. Recognise the contribution of volunteer interns

Organisations should ensure they recognise volunteer interns' efforts in the same way that they do for all volunteers who contribute across their organisation, through appropriate channels such as awards and thank-you events.

Where possible it can also be beneficial to let volunteer interns know how their support has contributed to achieving the aims and objectives of the organisation. As internships are seen to be a useful step in developing skills and experience, it can be useful to have a process in place to record the achievements and types of activities interns have undertaken. This record could be used to help them demonstrate what they have learned to a future potential employer.

In addition, organisations should ensure that they provide a reference and other appropriate support at the end of a volunteer internship.

# Where can I get further advice?

## Volunteer management and good practice

If your interns are volunteers, NCVO provides guidance and resources on volunteer management and good practice. This includes advice on creating volunteer roles, recruiting volunteers and ongoing support and management.

[www.ncvo.org.uk/practical-support/volunteering](http://www.ncvo.org.uk/practical-support/volunteering)

NCVO also offers bespoke training and support through its consultancy service. For more information contact [volunteering@ncvo.org.uk](mailto:volunteering@ncvo.org.uk).

## Investing in Volunteers

Investing in Volunteers is the UK quality standard for good practice in volunteer management.

[www.iiv.org.uk](http://www.iiv.org.uk)

## Employment status of roles

The government provides guidance to help people understand the employment status of a role and therefore any legal obligations an organisation may have, or the rights that the individual undertaking the role may have.

[www.gov.uk/employment-status](http://www.gov.uk/employment-status)

Bates Wells Braithwaite produced the following slides on the employment status of roles.

[www.slideshare.net/NCVO/status-anxiety-37040979](http://www.slideshare.net/NCVO/status-anxiety-37040979)

## National Minimum wage legislation and obligations

[www.hmrc.gov.uk/payerti/payroll/pay-and-deductions/nmw.htm](http://www.hmrc.gov.uk/payerti/payroll/pay-and-deductions/nmw.htm)

[www.gov.uk/national-minimum-wage/what-is-the-minimum-wage](http://www.gov.uk/national-minimum-wage/what-is-the-minimum-wage)

National Minimum Wage Worker Checklist:

[www.gov.uk/government/publications/national-minimum-wage-worker-checklist](http://www.gov.uk/government/publications/national-minimum-wage-worker-checklist)

## Apprenticeships

This includes information and guidance for employers considering taking on an apprentice.

[www.gov.uk/apprenticeships-guide/pay-and-holidays](http://www.gov.uk/apprenticeships-guide/pay-and-holidays)

### Offering paid internships

If your organisation decides to offer paid internships there is guidance available. This may be specific to your particular area of work.

*Internships that work: A guide for employers*, a publication from the Chartered Institute of Personnel and Development:

[www.cipd.co.uk/hr-resources/guides/internships-employers-guide.aspx](http://www.cipd.co.uk/hr-resources/guides/internships-employers-guide.aspx)

Arts Council guidance and good practice:

[www.artscouncil.org.uk/publication\\_archive/internships-arts](http://www.artscouncil.org.uk/publication_archive/internships-arts)

### Volunteer rights

NCVO and Volunteering England have completed research into the poor treatment of volunteers and have produced advice and guidance to ensure they are treated fairly.

Guidance is also provided for volunteers who have had a bad experience.

[www.ncvo.org.uk/policy-and-research/volunteering-policy/what-we-believe/volunteer-rights](http://www.ncvo.org.uk/policy-and-research/volunteering-policy/what-we-believe/volunteer-rights)

### Rights for interns

Intern Aware

[www.internaware.org/bis\\_guide\\_interns](http://www.internaware.org/bis_guide_interns)

# Appendix: Internships – a review of recent developments, concerns and evidence

There is a shortage of high-quality evidence on the extent of internships and their impact. In the interests of setting out what there is available, we highlight below a few of the available pieces of research, although it is not all to the same standard. The term internship has no legal status – roles described as an ‘internship’ vary considerably in practice. This also makes it difficult to get good data on the number of internships available, their content and quality, and whether they are paid or unpaid.

## Are there more internships?

While verifiable data is thin on the ground, recent literature on internships suggests a consensus that entry to professional careers is becoming increasingly dependent on undertaking an internship.<sup>10</sup>

The 2012 progress report of the Panel on Fair Access to the Professions claims there has been ‘exponential’ growth in internships,<sup>11</sup> creating ‘a profound change in the British labour market’. The Second Annual State of the Nation 2014 Report from the Social Mobility and Child Poverty Commission estimates that 83% of new entrants to journalism do an internship, lasting around seven weeks, and the majority (92%) are unpaid.

## What concerns have been raised?

### Access

A common concern is that volunteer internships are discriminatory in that they advantage those who can afford to undertake them, and exclude those who can’t.

As Unite and Intern Aware put it:

The UK is at risk of creating a society that discriminates against those who are unable to intern for free for long periods of time. With the majority of national charities and voluntary organisations based in London, those who cannot afford the spiralling rents in the capital can’t get the opportunities that they deserve. The third sector exists to serve and improve the society in which we live. It cannot afford to exclude people based on their economic background and ability to work in London for free.<sup>12</sup>

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<sup>10</sup> Hope, S and Figiel, J, 2012, *The Social Mobility and Child Poverty Commission*, 2014

<sup>11</sup> Fair Access to Professional Careers: A progress report by the Independent Reviewer on Social Mobility and Child Poverty, 2013, p.5.

<sup>12</sup> [www.unitetheunion.org/uploaded/documents/UniteInternAware11-10685.pdf](http://www.unitetheunion.org/uploaded/documents/UniteInternAware11-10685.pdf)

Institute for Public Policy Research (IPPR) similarly ask whether 'people who are unable to work for free are excluded from these career-changing opportunities'.<sup>13</sup>

'Access to work experience is a new hurdle that would-be professionals now have to clear before they can even get on to the recruitment playing field,' Alan Milburn, chair of the panel on Fair Access to the Professions, writes.<sup>14</sup>

A 2011 poll by YouGov for the campaigning group Internocracy found:

40% of young people who had thought about applying for an internship changed their minds as they were not in a position to work for free and 39% of those who were offered an internship ... had to turn it down for the same reason.<sup>15</sup>

Coupled with this is a concern that access to internships often depends on a personal connection to someone in the organisation. As the Commission on Social Mobility and Child Poverty put it:

... half of work placement opportunities in the wider economy are recruited informally through word of mouth, rather than advertised and young people from poor backgrounds are less likely to have the relevant contacts than those from better off backgrounds. Work experience opportunities are too often given to employees' families and the relatives of clients.<sup>16</sup>

IPPR argue that this:

... adds to existing patterns of inequalities in both economic well-being and power by helping to ensure that certain occupations and sectors remain dominated by people from particular backgrounds. The occupations that tend to rely on unpaid internships tend to be those offering above-average wages and associated with higher socio-economic classes, so if less affluent people are excluded from them they have less chance of achieving social mobility – moving up the income or class scale from their parent's position.<sup>17</sup>

The Sutton Trust has recently also published research which looks at the cost to an individual of doing an unpaid internship and highlighted the potential impact of this on accessibility. The findings identified that:

A six month unpaid internship will cost a single person living in London a minimum of £5,556 (£926 a month), and £4,728 (£788 a month), in Manchester, excluding transport costs.<sup>18</sup>

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<sup>13</sup> K Lawton & D Potter, 2010, *Why Interns Need A Fair Wage* London:IPPR

<sup>14</sup> Fair Access to Professional Careers, 2013, p.5.

<sup>15</sup> [yougov.co.uk/news/2011/03/23/investigating-internships](http://yougov.co.uk/news/2011/03/23/investigating-internships)

<sup>16</sup> *Op. cit.*

<sup>17</sup> *Op. cit.* p.8

<sup>18</sup> The Sutton Trust, *Internship or Indenture*, 2012

The report also included newly published data from Ipsos MORI on attitudes to unpaid internships. The data showed:

overall, consistent majorities of respondents (70%) agreed that unpaid internships were unfair, due both to the inherent unfairness of working without pay, and to the advantage accruing to those from wealthy backgrounds.<sup>19</sup>

In contrast to this some respondents were less concerned about this as a barrier. In the survey:

24% of respondents agreed that unpaid internships are fair as they provide valuable working experience, whereas 15% thought they were fair because people wanting a particular career would find a way to support themselves.<sup>20</sup>

### Quality

In his 2011 book, *Intern Nation: How to earn nothing and learn little in the brave new economy*, Ross Perlin argued that the recent proliferation of internships has devalued the term: with fewer opportunities for structured training and more 'drudge work', many young people seeking genuine work experience are now being exploited.<sup>21</sup>

### Legality

The Low Pay Commission, the official body that advises the government on the national minimum wage, has expressed concern that 'labelling opportunities as internships may be seen as a loophole to undermine the minimum wage',<sup>22</sup> as companies seek to reduce their costs.

In 2013 it reported that:

... we continue to receive evidence of widespread non-payment of the NMW for positions that appear to be work. The longer this continues the greater is the risk that extracting work from unpaid interns will become the 'new normal'.

## Internships in the voluntary and community sector

IPPR have argued that even if they do not have a legal obligation, '[charities and statutory bodies] have a social obligation – to play their part in ensuring valuable employment opportunities are available to young people from different backgrounds'.<sup>23</sup> Intern Aware and Unite have argued that the voluntary sector could appear hypocritical if 'charities which are perceived as leading in ethical activity are actually exacerbating existing socio-economic inequalities'.<sup>24</sup>

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<sup>19</sup> [www.suttontrust.com/wp-content/uploads/2014/11/Unpaid-Internships.pdf](http://www.suttontrust.com/wp-content/uploads/2014/11/Unpaid-Internships.pdf)

<sup>20</sup> [www.suttontrust.com/wp-content/uploads/2014/11/Unpaid-Internships.pdf](http://www.suttontrust.com/wp-content/uploads/2014/11/Unpaid-Internships.pdf)

<sup>21</sup> R Perlin, *Intern Nation: How to earn nothing and learn little in the brave new economy*, 2012

<sup>22</sup> Low Pay Commission Annual Review, 2013 p88

<sup>23</sup> Lawton & Potter, 2010, *Op. cit.* p.11

<sup>24</sup> C Gerada, 2013, *Interns in the Voluntary Sector: Time to end exploitation* London: Intern Aware and Unite the Union p.7

Third Sector Internships Scotland (TSIS) research suggests that interns themselves make a distinction between volunteering and internships, with the latter requiring more commitment from them and more feedback and support from the employer. Many TSIS participants already had experience of volunteering and were looking for something more. They had clear expectations that:

- ‘an internship would be more focused and structured, would involve being mentored and supported in their role and it being understood that they were still learning and they might get things wrong’
- the work that they did would be more meaningful, and have more responsibility than volunteering, with the opportunity to work on discrete projects
- they would benefit from the experience and support of their colleagues and managers.<sup>25</sup>

Meanwhile, a failure to open up voluntary sector internships to the widest possible pool of applicants could mean that the sector loses losing talented people who cannot afford to work for free.

Despite the paucity of clear evidence, it is common ground that the number of internships has grown considerably in recent years and that they have become an important first step on the career ladder for many young people. Reilly and Caddell argue that this has created ‘a need for the sector to pause and reflect on the practice and consider critical questions about the balance between voluntarism and professionalism in the sector’.

### A developing situation

The situation is changing. For example, the CIPD has updated its guidance and now argues that ‘paying interns is not only the right thing to do it also helps widen access to internships more generally and increase the pool of talent that employers can draw on’.<sup>26</sup>

Although government guidance has a stronger emphasis on complying with minimum wage legislation, it too notes that ‘paying a salary can facilitate wider access to the profession and will attract the best candidates for the role’.<sup>27</sup> Both also recommend open and rigorous recruitment processes to promote fairer and equal access to internships.

While this could be interpreted as a ‘tightening’ of guidance in this area, it is not however clear to what extent these high-level invocations are driving practice on the ground. Again, we are hampered by a lack of empirical data.

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<sup>25</sup> Reilly and Caddell, *Why internships? Understanding Student Motivations and Experience* when 2014, p12

<sup>26</sup> *Op. Cit.* p.5

<sup>27</sup> Gateways to the Professions Collaborative Forum, 2013, *Common Best Practice Code for High Quality Internships* London: Department for Business, Industry and Skills p.11