

HR4.9 Workplace Surveillance

Purpose

1. The purpose of this policy is to ensure that SAVVY complies with the requirements of the Workplace Surveillance Act 2005 ('the Act').

Alignment with Practice Standards

1. Module 2: Provider Governance and Operational Management

Legislative Alignment

1. Workplace Surveillance Act 2005

Key Responsible Executive

Chief Executive Officer

For More Support

Your People Manager
Head of Information Technology

Policy Statement

1. SAVVY is committed to meeting its statutory obligations under the Workplace Surveillance Act 2005. This policy, in conjunction with WS4.17 Information Technology, represents the formal notification to employees about activities of SAVVY that fall within the statutory definitions of surveillance.
2. This policy details instances of activity by SAVVY that are covered by the surveillance provisions i.e. camera, computer and tracking.
3. SAVVY complies with the legal requirements of the Act where surveillance is prohibited. These are contained in Part 3 of the Act (sections 15 to 18) and cover:
 - a. a prohibition on surveillance in any change room, toilet facility or hallway.
 - b. a prohibition on surveillance when the employee is not at work except in cases of computer surveillance where the employee is using equipment and/or resources supplied by SAVVY.
 - c. a prohibition on blocking the delivery of emails unless notice (prevented delivery notice) has been given to the employee or where the incoming communication is perceived to be spam or a threat to the security of SAVVY systems or contains potentially menacing, harassing or offensive material.

- d. a prohibition on preventing delivery of an email or access to a website merely because it has been sent by or on behalf of an industrial organisation of employees or contains information about industrial matters
4. Under the Workplace Surveillance Act 2005 surveillance of an employee means surveillance by any of the following means:
 - a. camera surveillance, which is surveillance by means of a camera that monitors or records visual images of activities on premises or in any other place
 - b. computer surveillance, which is surveillance by means of software or other equipment that monitors or records information input, output, other use.
 - c. tracking surveillance which is surveillance by means of an electronic device, the primary purpose of which is to monitor or record geographical location or movement (such as a Global Positioning System tracking device).

Procedures

1. Overt Surveillance
 - a. Overt surveillance only occurs once prior notice of the surveillance is given.
 - b. The notice indicates the kind of surveillance to be carried out (camera, computer or tracking), how the surveillance will be carried out, when the surveillance will start, whether the surveillance will be continuous or intermittent and whether the surveillance will be for a specified limited period or ongoing.
 - c. SAVVY respects the right to privacy of participants, employees, volunteers and visitors. Therefore, it does not carry out camera surveillance on any of its premises, other than in circumstances which demand increased security for the protection of participants, employees, volunteers or for the property of SAVVY
2. Computer Surveillance
 - a. Computer surveillance of emails and internet usage is carried out in accordance with the Information Technology Policy.
 - b. Should SAVVY undertake surveillance of internet usage, notification of this process is delivered to employees.
3. Tracking Surveillance
 - a. Tracking surveillance is not carried out unless there is a notice clearly visible on the vehicle indicating that it is the subject of tracking surveillance.
 - b. There is an exception to official notification in circumstances where employees agree to the carrying out of surveillance for purposes other than the surveillance of employees. This situation would cover, for example, security cameras that are placed in the reception area, corridors or lifts for the safety of participants, employees and volunteers

References to other SAVVY policies and external sources

1. HR4.17 Information technology

Summary of attachments

1. Nil

Version Control

1. 1 April 2023 - New Policy Creation
2. 17 August 2023 - Update of Supports