



Hinckley & Bosworth Borough Council

FORWARD TIMETABLE OF CONSULTATION AND DECISION MAKING

ETHICAL GOVERNANCE AND PERSONNEL COMMITTEE 10 MAY 2018

WARDS AFFECTED: ALL WARDS

WORKPLACE SURVEILLANCE POLICY

Report of Director (Corporate Services)

1. PURPOSE OF REPORT

1.1 To present to members for approval the draft Workplace Surveillance Policy.

2. RECOMMENDATION

2.1 That the draft policy be approved.

3. BACKGROUND TO THE REPORT

3.1 Employers have the right to monitor employee's activities in many situations at work. The council currently undertakes a variety of surveillance activity such as:

- Camera Surveillance – CCTV vehicle cameras and Body-Worn Video
- Computer surveillance – covering internet usage, software access and email use
- Tracking surveillance – tracking in council vans and door access systems
- Checking work mobile phone records

All these forms of monitoring are currently covered by the Data Protection Act 1998 which will be superseded by the General Data Protection Regulation from 25 May 2018. The Act doesn't prevent monitoring in the workplace; however it does set out rules about the circumstances and the way in which the monitoring is carried out.

3.2 The council currently operates surveillance as set out above and has associated policies that govern each type of surveillance. For employment purposes it is good practice to have an overarching policy in place that clearly informs staff that the necessary monitoring is required to meet the council's business and legal obligations, and will only take place if reasonable justified. It will also signpost to other relevant surveillance policies/procedures.

3.3 The policy also sets out the reasons (such as the prevention and detection of crime, health and safety investigations and employee conduct matters) why data is being accessed and the procedures that are followed to access such data. By having a policy in place will ensure that a consistent and transparent process is followed and employees are fully aware that this is taking place.

4. EXEMPTIONS IN ACCORDANCE WITH THE ACCESS TO INFORMATION PROCEDURE RULES

4.1 The report to be taken in open session.

5. FINANCIAL IMPLICATIONS [IB]

5.1 None.

6. LEGAL IMPLICATIONS [AR]

6.1 These are contained within the body of the report.

7. CORPORATE PLAN IMPLICATIONS

7.1 The policy ensures that the council provides a safe and healthy workplace whilst meeting the obligations of the Data Protection Act 1998 which will be superseded by the General Data Protection Regulation which will apply from 25 May 2018.

8. CONSULTATION

8.1 Consultation has taken place with Unison and concluded earlier this year.

9. RISK IMPLICATIONS

9.1 It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

9.2 It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.

9.3 The following significant risks associated with this report / decisions were identified from this assessment:

None

10. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

10.1 None.

11. CORPORATE IMPLICATIONS

11.1 By submitting this report, the report author has taken the following into account:

- Community Safety implications

- Environmental implications
 - ICT implications
 - Asset Management implications
 - Procurement implications
 - Human Resources implications
 - Planning implications
 - Data Protection implications
 - Voluntary Sector
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Background papers: None.

Contact Officer: Julie Stay, HR & Transformation Manager Ext 5688
Executive Member: Councillor M Hall