



## **WORKPLACE SURVEILLANCE:**



More and more, we are seeing and hearing about electronic surveillance in the workplace and not all of it is positive news for employers. There are the results of prying cameras and imprudent use of recording devices spread all over the news, the web—take the cases of recent school yard fights uploaded to the web for all to see, and there’ s worse, but we won’ t go into it here.

**Do YOU know your obligations as an employer in regard to workplace surveillance?**

**Do you know what resources you are legitimately allowed to use in the workplace?**

**Do you know when you are legitimately allowed to use surveillance devices in the workplace?**

**Do you know the consequences of getting it wrong?**

In our Western Australian workplace the use of electronic surveillance equipment is governed by law. *The Surveillance Devices Act 1998 (WA)* came into being after a previous Act was found not to take into account the introduction of new technologies—like cameras!.

Generally speaking, it is an offence to use, install or maintain:

- listening devices to record or listen to a private conversation;
- optical surveillance devices to record visually or observe a private activity;
- tracking devices to determine the geographical location of a person.

The Act, doesn’ t prevent employers using surveillance devices; it does however limit the use of devices in regard to recording or listing to “ private activity” and this is one area where employers have fallen foul of the legislation previously.

### **What should you do?**

Call Workwise of course; particularly if you would like assistance in preparing, amending and introducing policy / procedure.

If you have already, or are about to install workplace surveillance, including security cameras, CCTV, telephone monitoring, Email and internet monitoring or tracking devices; OR

If you have existing policies on workplace surveillance, email/internet/social media usage or telephone (including mobile telephone) usage, or are considering instigating policies, then call Workwise now.

**NEW**

**Workplace Surveillance Policy** available now from Workwise.

**For further information on anything you have read in this bulletin, please contact the Workwise Office nearest you for assistance and an appointment will be arranged.**

Disclaimer: The information contained in this article is a summary only of the subject matter covered. Whilst Workwise endeavours to provide clients with accurate information no part of this summary should be used as a substitute for professional advice.

*Workwise Advisory Services, 2010*