

Transport Workplace Surveillance Policy

CP21002.1



Transport is committed to protecting the integrity of our organisation and the security and safety of our people, assets, information and property through workplace surveillance measures.

Transport Agencies conduct continuous and ongoing monitoring of the activities of staff while at work in accordance with [Workplace Surveillance Act 2005](#). That monitoring may include:

- use of internet, email, network and computer facilities at the workplace, or provided by Transport (including but not limited to personal communication devices that can access the Internet) or which are used at Transport's expense
- use of software applications that record activity including: Transport workplace location and use, logon details and times, data changes and deletions, telephone usage, photocopier and printer use
- location tracking of mobile phones, laptops, personal communication devices or vehicles provided to employees that may be fitted with a GPS or other tracking capability device or application
- entry, exit, and movement within Transport workplace facilities where that uses an individually allocated access card or key
- recording CCTV footage.

'At work' means the workplace of the employer whether or not the staff are actually performing work at the time, or any other place while the staff member is performing work for the employer (for example, working from home), this may include public places (in the case of CCTV).

Transport Agencies collect and store information obtained through surveillance monitoring (including logs, images, backups, and archives), which may be audited. Any record, including emails, which you create or receive, using Transport information systems, is subject to the requirements of the *State Records Act 1998*. Any such record may be required for production in response to a request to access information under the *Government Information (Public Access) Act 2009* or a call for papers by Parliament.

In monitoring and recording employee activities, we are mindful of our obligations and responsibilities under the *Surveillance Devices Act 2007*, *Privacy and Personal Information Protection Act 1998*, [Transport Privacy Policy](#), [Transport Access to Information Policy](#), [Transport Records Management Policy](#), [Transport Information Security Policy](#), and the [Acceptable Use of Technology Standard](#).

Failure to comply with legislation, Policy and associated Standards and Procedures may result in disciplinary action up to and including dismissal. Non-compliance may also be reported to the Police or other relevant authority if criminal activity is suspected.

We aim to create a transparent workplace surveillance environment by:

- Providing notice to staff of the types of surveillance in place through a variety of means, including signage, electronic notifications, intranet communications, Agency Procedures, etc. Where new surveillance equipment or tools are introduced, 14 days' notice will be provided to affected staff in writing.
- Notifying prospective new staff of surveillance activity in their letter of offer.
- Not undertaking unlawful covert or prohibited surveillance as defined in the [Workplace Surveillance Act 2005](#).
- Only using surveillance information for a legitimate business purpose, and disclosing it only as permitted by law.
- Not routinely using workplace surveillance to monitor employee performance or attendance without an established reason.
- Only using surveillance information in managing conduct or disciplinary matters where there is a legitimate reason, in accordance with the [Transport Managing Conduct and Discipline Policy](#).

A handwritten signature in black ink that reads 'Rob Sharp'.

Rob Sharp
Secretary
7 July 2021

This Policy applies to staff performing work for the following:

- Transport for NSW
- Department of Transport
- Sydney Trains
- NSW Trains
- State Transit Authority
- Sydney Metro
- The Point to Point Transport Commissioner

'Staff' includes all permanent, temporary and casual staff, staff seconded from another organisation and contingent workers including labour hire, professional services contractors and consultants.