

Workplace Surveillance Policy

1 Purpose

- 1.1 **[Insert company] (Company)** wishes to ensure the safety of staff, horse welfare and protect property and assets. For these reasons the Company has workplace surveillance practices in place.
- 1.2 Under the *Surveillance Devices Act 1971 (QLD) (Act)*, the Company has the right to conduct workplace surveillance, which may include camera surveillance, computer surveillance and/or tracking surveillance.
- 1.3 The Company is committed to ensuring the use of workplace surveillance is in accordance with legislation and is carried out in the most effective and appropriate way.

2 Scope

- 2.1 This Policy applies to:
 - (a) all staff of the Company (full-time, part-time and casual), and other relevant persons performing work at the direction of the Company, referred to as "Staff"; and
 - (b) all of the Company's workplaces and other places where Staff may be working or representing the Company, for example, a customer, client or supplier's premises (**Workplace**).

3 Responsibilities

- 3.1 It is the responsibility of the Company and its assigned officers to implement this policy and ensure that its contents are fully understood by all those to whom this Policy applies.

4 Purpose of Surveillance

- 4.1 The purpose of workplace surveillance at the Company is to:
 - (a) monitor horse and staff welfare;
 - (b) monitor Staff's use of computers, email, the Internet, and communication devices to ensure security of the training establishment;
 - (c) monitor Staff's compliance with conduct requirements and other company policies and procedures;
 - (d) to monitor potential exposure to legal liability or breaches of security or confidentiality; and

- (e) for the purpose of investigating allegations of misconduct or to provide materials to external investigative authorities lawfully investigating possible criminal conduct.

5 Computer, Internet, Email & Communication Device Surveillance

- 5.1 Computer surveillance may be conducted via computer, internet and/or email monitoring systems to monitor communication devices, including mobile phones, tablets, digital organisers and any other digital communication devices of a like nature, provided during employment by the Company. Surveillance can monitor and record the following details:
 - (a) emails sent and/or received by Staff;
 - (b) internet sites accessed by Staff;
 - (c) software applications accessed by Staff;
 - (d) other input or output from Company computers;
 - (e) text messages or other forms of digital communication, e.g. videos, photos, images sent and/or received by Staff using mobile phones supplied by the Company; and
 - (f) the use, input and output of communication devices as noted above.
- 5.2 The Company may use computer surveillance to access and monitor Staff's use of Company software applications, email and internet systems in the following ways:
 - (a) monitoring email server performance and retaining logs, backups and archives of emails sent and received through the server. Even where the user has deleted an email, the Company may still retain archived and/or backup copies of the email;
 - (b) retaining logs, backups and archives of all software applications access, internet access, and network usage; and
 - (c) viewing real-time computer and software application use.
- 5.3 All messages generated on or handled by our internet/email facility, including back-up copies, are considered to be property of the Company.
- 5.4 Staff's emails are not routinely read or monitored. However, emails are records of the Company and should be managed accordingly and will be accessible in that context.
- 5.5 While individual computer, internet and email usage is not routinely monitored, unusual or high-volume activities may warrant more detailed examination.
- 5.6 Use of the Company's computers and associated systems is governed by the Company's IT, Internet and Social Media Policy.
- 5.7 Computer surveillance records will only be used as outlined under the Act and referred to in clause 9 of this Policy.

6 Camera Surveillance

- 6.1 Camera surveillance devices monitors and records visual images.
- 6.2 Cameras will be placed in locations which are visible, or known, to people in the Company Premises. Workplace facilities and areas that are subject to camera surveillance will have appropriate signage displayed notifying Staff and the public that they may be under surveillance.
- 6.3 Designated areas with the Company premises are placed under Camera surveillance for the follow reasons:
- (a) protection and safety of Company Staff and clients/visitors;
 - (b) to ensure the security of Company property and assets;
 - (c) operations requirements; and
 - (d) to investigate accidents and/or incidents.
- 6.4 Surveillance will not be carried out in change rooms, staff lunchrooms, toilets or other bathing locations.
- 6.5 Workplace facilities and areas that are subject to camera surveillance will have appropriate signage displayed notifying employees and the public that they may be under surveillance, in accordance with the Act.
- 6.6 Any camera surveillance will be performed on a continuous and ongoing basis.
- 6.7 The Company reserves the right to introduce additional camera surveillance at any of their locations, to monitor security and provide employee and public safety. The introduction of additional cameras is the responsibility of the Company's leadership team and will be operated in accordance with this policy.
- 6.8 Where the Company intends to install new camera surveillance devices, employees working in the designated area or areas will be notified in accordance with this policy and relevant legislation.
- 6.9 Staff who are not working at their usual workplace will not be notified of camera surveillance at any alternate workplaces where they may work from time to time, including but not limited to surveillance that may occur at racetrack locations.

7 Items Subject to Surveillance

- 7.1 Devices and equipment which the Company monitors includes workstations, computers, laptops, servers, mobile devices including mobile phones, email and network services, printers, network connected devices, and connections to internet services supplied by the Company (including fixed, Wi-Fi and 3G/4G).

8 Use and Disclosure of Surveillance Records

- 8.1 The Company will ensure that any surveillance records made as a result of workplace surveillance are not communicated or recorded or reported, unless that communication, record, or report is:

- (a) With the consent of each party to a private conversation or activity;
- (b) Reasonably necessary in the public interest or for the protection of lawful interests of the person;
- (c) In the course of legal or disciplinary proceedings;
- (d) Protected information;
- (e) To a member or officer of a law enforcement agency for use in connection with the detection, investigation or prosecution of an offence or otherwise in the performance of his or her duty;
- (f) To a police officer by a person authorised to do so by an authorised police officer; or
- (g) Authorised by the law of the Commonwealth relating to the security of the Commonwealth.

8.2 While the Company does not intend to use surveillance methods primarily to monitor Staff, it may from time to time, or with cause, access surveillance systems and data records to investigate complaints or conduct other workplace investigations, as appropriate.

9 Prohibitions

- 9.1 Under this policy, individual Staff are prohibited from undertaking surveillance in their workplace. Where it is necessary to undertake new or additional workplace surveillance it will be in accordance with this policy and approved by the relevant Manager.
- 9.2 Cameras in mobile telephones, either personally owned or supplied by the Company are not to be used to record images of any persons without their knowledge and consent.

10 Breach

- 10.1 Any breach of this policy may result in the Company arranging counselling, or taking disciplinary action, against an employee, which may include the provision of warnings and termination of employment.

11 Definitions

- 11.1 Under the Act, “**surveillance**” means surveillance of Staff by any of the following means:
 - (a) “**Camera surveillance**”, meaning surveillance by means of a camera that monitors or records visual images of activities on premises or in any other place;
 - (b) “**Computer surveillance**”, meaning surveillance by means of software or other equipment that monitors or records the information input or output, or other use of a computer (including, but not limited to, the sending and receipt of emails and the accessing of Internet websites); and

- (c) **“Tracking surveillance”**, meaning 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).

12 Agreement

- 12.1 This policy constitutes all notice as required by the Act and any other legislation.
- 12.2 By receiving this policy, you are deemed to have been given sufficient notice and your continued attendance at the Company’s Workplaces constitutes acceptance of all forms of surveillance outlined in this policy.