

Surveillance Policy

Item(s) New Policy	Doc No: 1
Superseded:	Version: 1
Developed by: Human Resources	Date: 19 th May 2022
Authorised by: HR	Pages: 3

1. Ascention Purpose Statement

1.1 The purpose of the Workplace Surveillance Policy is to ensure that a transparent environment exists within the Ascention Holdings Group of companies (AHG) with regard to surveillance and that AHG complies with the requirements of the *Workplace Surveillance Legislation* (NSW, Workplace Surveillance Act 2005).

2. Scope

2.1 This policy applies to all officers, employees (including Directors, executives and managers) and contractors of Ascention. Ascention also requires contractors, sub- contractors, agents, volunteers and other personnel required to perform work to adhere to this Policy.

2.2 The policy does not have regard to the officer's, employee's or contractor's length of service, title or relationship to Ascention.

3. Policy

3.1 The Legislation requires that employees be formally notified of any actions by AHG that fall within the definitions of surveillance. That notification must meet the fourteen (14) day requirement notice period stated in the Legislation, unless a shorter period is agreed to for existing employees. New employees are required to be notified prior to the commencement of their employment.

3.2 This policy is notification in accordance with the Legislation, and existing and new employees consent to all such surveillance taking place.

4. Definitions

4.1 **Camera Surveillance** is a surveillance by means of a camera that monitors or records visual images of activities on premises or in any other place;

4.2 **Computer surveillance** is 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 e-mails and the accessing of internet websites);

4.3 **Tracking surveillance** is surveillance by means of an electronic device the primary purpose of which is to monitor or record geographical location or movement (such as Global Positioning System tracing device).

4.4 **Workplace** means premises, or any other place, where employees work, or any part of such premises or place.

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4.5 **“At work”**, for the purpose of the Legislation, means the workplace of the employer (or a related corporation) whether or not the employee is actually performing work at the time, or at any other place while performing work for the employer.

4.6 **Surveillance Information** means information obtained, recorded, monitored or observed as a consequence of surveillance of an employee.

4.7 **Surveillance Record** means a record or report of surveillance information.

5. Process

5.1 For new employees, (company) will, from commencement of their employment, carry out ongoing, intermittent surveillance of their use of (company) computer systems, phone systems and mobile communications or computing devices (including by way of real time monitoring and recording) – including emails, internet and files (including files stored on the work computer or mobile communication or computing devices). For existing employees, the above surveillance will be carried out on an ongoing, intermittent basis.

5.2 The surveillance is carried out by all means available to (company) which may include, without limitation:

- 5.2.1 Auditing, logging, monitoring or accessing email accounts, emails, instant messaging or voice mail;
- 5.2.2 Accessing files;
- 5.2.3 Accessing the work computer and mobile communication or computing devices; and
- 5.2.4 Accessing records of internet usage (including sites and pages visited, files downloaded, video and audio files accessed and data input);
- 5.2.5 Camera surveillance
- 5.2.6 Tracking surveillance.

6. Types of Surveillance

6.1 Camera Surveillance:

- Cameras used for surveillance (or camera casing or other equipment that would generally indicate the presence of a camera) will be clearly visible in the place where the surveillance is taking place, and
- Signs notifying people that they may be under surveillance in that place will be clearly visible at each entrance to that place.

6.2 Computer Surveillance:

- The surveillance will be carried out in accordance with (company) IT policy;

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6.3 Tracking Surveillance:

- Surveillance of an employee that involves the tracking of a vehicle or electronic device will not be carried out unless the vehicle or device clearly displays notice indicating that the vehicle or device is the subject of tracking surveillance.

6.4 Prohibited Surveillance

- AHG will comply with the legal requirements of the Act where surveillance is prohibited.

6.5 Disclosure of surveillance records – Notified Surveillance

- any surveillance records made as a result of the surveillance will not be used for disclosed unless:
 - They are for legitimate purpose related to employment or business activities or functions;
 - They are required to be presented to law enforcement agencies;
 - They relate to civil or criminal proceedings;
 - It is necessary in order to avert an imminent threat, serious violence to persons or substantial damage to property.

6.6 Covert Surveillance

- Covert surveillance is any surveillance that is carried out without the knowledge of the employee and is prohibited without a Covert Surveillance Authority, which must be obtained via a Magistrate (where applicable legislation applies).

7. Breaches of this Policy

7.1 AHG may:

- Rely on information gathered by surveillance activities in administering employee management decisions, including any disciplinary action to be taken;
- Restrict access to internet facilities and/or sites of any kind;
- Prevent the sending and/or receiving of emails; and
- Disclose any data it collects through monitoring and auditing activities to support (company) policy or law enforcement.
- Take any other disciplinary action, which may include termination of employment.