

## **UNISONS Report To ECF**

*UNISON raised their concerns regarding the use of CCTV and other devices to monitor the staff directly employed by the authority breaching their right of privacy at work; this matter was then formally raised via a specially arranged CJC (Corporate Joint Committee) meeting which took place on the 22<sup>nd</sup> October 2008. It was agreed by all parties that there was a need to produce some form of protocol to adhere to the rights of all public sector employees which is stated further in this report.*

*To date, this matter has not been progressed and the agreed process has not been forthcoming. This council wishes now to implement a conduct procedure which incorporates the use of the above and the need to monitor employees, which UNISON believe is a direct breach of an agreement reached through the corporate forums leading this matter to ECF.*

*The 2 major pieces of legislation concerning workers rights to privacy which are:-*

*The data protection Act 1998*

*The Human Rights Act 1998(Which came into force in 2000)*

*In addition there is a contractual duty implied between employers and employees of "Mutual Trust and Confidence." This may be breached if the employer is found to have invaded a workers right to privacy.*

*In reference to the Human Rights Act, which brings the rights enshrined in the European Convention on Human Rights and Fundamental Freedoms into force in the UK, requiring all public bodies to take these human rights into account in their procedures and actions, which means that employees of Public Authorities may be able to take legal action if, they believe there is a breach of the convention.(i.e Monitoring and Surveillance)*

*UNISON would request for an agreement to ensure that a full and legal protocol is undertaken to protect the rights of all employees of the council. This matter has been raised in light of the use of covert surveillance on an individual employee, the proposed introduction of eaves dropping process on employee's company mobile phones, and finally the proposed introduction of tracking devices to constantly monitor staff.*

*UNISON firmly believes that the big brother approach, lowers morale and leads to a less proactive workforce, this will impact on this councils progression towards best council in 2012, and will certainly not achieve an employer of choice status.*

*A verbal response will be given by the Management Side.*