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## OPERATIONAL POLICIES

### Surveillance and Recording Devices



Policy Number: O1

Relevant Delegation: Not Applicable

Approved Details: NEW

Last Review Details:

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#### **POLICY OBJECTIVE:**

The objective of this Policy is to establish a framework for the appropriate, lawful, and responsible use of surveillance and recording devices by the Shire. This includes ensuring the safety and wellbeing of employees, contractors, and the public, protecting Shire assets, and supporting operational and regulatory functions, while maintaining compliance with the *Surveillance Devices Act 1998 (WA)* and respecting privacy obligations.

#### **POLICY SCOPE:**

This Policy applies to all employees, contractors, and authorised persons of the Shire who access, use, manage, or are subject to surveillance and recording devices operated by the Shire across all workplaces, facilities, and approved work locations, including the Site (being any approved home-based or remote work location where an employee performs their duties).

#### **POLICY STATEMENT:**

##### **INTRODUCTION**

The Shire utilises surveillance and recording devices to support the delivery of services, enhance community safety, and protect its people and assets. The use of such devices must be conducted in a lawful, transparent, and responsible manner, ensuring that any impact on individual privacy is minimised and justified.

Even where recording, photography or audio capture is not occurring, the visible presence of devices capable of covert or discreet recording can undermine trust, inhibit open communication, discourage participation in meetings and workplace discussions, and negatively affect the psychological safety of individuals.

##### **PRINCIPLES**

The Shire is guided by the following principles in the use of surveillance and recording devices:

- **Legality** – All surveillance activities must comply with the *Surveillance Devices Act 1998 (WA)* and other relevant legislation.
  - **Transparency** – The Shire will take reasonable steps to ensure individuals are aware of surveillance where appropriate.
  - **Proportionality** – Surveillance will only be used where necessary and in a manner proportionate to the identified risk or purpose.
  - **Accountability** – The use of surveillance devices will be subject to appropriate approval, oversight, and governance.
  - **Privacy** – The Shire will take all reasonable steps to protect personal privacy and prevent unauthorised access, use, or disclosure of recorded information.
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## PROVISIONS

### LEGISLATIVE COMPLIANCE

All surveillance and recording activities must comply with the *Surveillance Devices Act 1998 (WA)* and any other relevant legislation, policies, and procedures. Surveillance devices must not be used to unlawfully record private conversations or activities, or in circumstances where individuals would reasonably expect privacy, unless permitted by law.

### APPROPRIATE AND AUTHORISED USE

Surveillance and recording devices, whether owned by the Shire or by an employee, may only be used for authorised, legitimate work-related purposes.

Wearable or personal recording devices, including body-worn cameras, smart glasses, audio recorders, mobile phones, smart watches or similar technology, must not be used to record Shire activities, employees, contractors, volunteers or members of the public unless expressly authorised in writing by the Chief Executive Officer or relevant Executive Manager for a specific lawful and operational purpose.

Legitimate work-related purposes include supporting the Shire's objectives, such as ensuring the safety and wellbeing of employees and the public, protecting Shire property and assets, deterring and investigating incidents, misconduct, or unlawful behaviour, and supporting operational and regulatory functions. All use must be reasonable, proportionate, and authorised..

### TYPES OF SURVEILLANCE DEVICES

The Shire may utilise a range of surveillance devices, including fixed CCTV systems, GPS, mobile or temporary surveillance devices, and wearable surveillance devices. Wearable surveillance devices, whether Shire-owned or employee-owned, must be approved prior to implementation and are subject to the same requirements as all other surveillance devices.

### WORKPLACE TRANSPARENCY

The Shire will take reasonable steps to ensure that employees and members of the public are informed when surveillance activities are conducted and the purpose for which they are undertaken. Information regarding the type of data collected, how it is used, retained and accessed will be made available. Where surveillance is undertaken through devices installed in Shire assets, equipment or vehicles, employees will be advised of the nature and extent of the monitoring, including any arrangements that apply during authorised private use.

### DATA MANAGEMENT AND SECURITY

All work related surveillance recordings remain the property of the Shire and are only accessible by authorised personnel. Recordings may be used or disclosed only for legitimate work-related purposes in accordance with this Policy, applicable legislation, and the Shire's overarching records management framework.

### PRIVACY AND CONFIDENTIALITY

Employees must take all reasonable steps to ensure that information captured through surveillance devices is protected from unauthorised access, use, or disclosure, and handled in accordance with relevant policies and legislation.

### RESPONSIBILITIES

Executive Managers and Line Managers are responsible for approving, overseeing, and ensuring compliance with this Policy. Employees must comply with this Policy and only use surveillance

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devices where authorised. The Shire is responsible for ensuring compliance with legislative and policy requirements.

Employees are responsible for ensuring that any personal or wearable recording devices used for work purposes comply with this Policy and may only be used for authorised Shire-related activities.

Employees are not to use, activate, or wear recording technology during Shire duties unless authorised.

## **PENALTIES:**

Failure to comply with this Policy, including misuse or unauthorised access, use, or disclosure of surveillance devices or recordings, may result in disciplinary action and/or constitute a breach of the Shire's Code of Conduct.

## **KEY TERMS/DEFINITIONS:**

**Authorised Personnel** - Shire employees or contractors who have been granted permission to access, use, or manage surveillance recordings for legitimate purposes.

**CCTV (Closed Circuit Television)** - A system of fixed or mobile cameras used to monitor and record activities in specific locations.

**Employee** - A person employed by the Shire of York under the relevant Enterprise Agreement and Shire policies.

**Executive Manager / Line Manager** - The officers responsible for overseeing and approving the use of surveillance devices and ensuring compliance with this Policy.

**GPS (Global Positioning System)** - a navigational system using satellite signals to fix the location of a radio receiver on or above the earth's surface

**Legitimate Work-Related Purpose** - Any activity undertaken to support the Shire's objectives, including ensuring the safety and wellbeing of employees and the public, protecting Shire property and assets, deterring and investigating incidents, misconduct, or unlawful behaviour, and supporting operational and regulatory functions.

**Misuse** - Any use of surveillance or recording devices that breaches this Policy, the *Surveillance Devices Act 1998 (WA)*, or the Shire's Code of Conduct.

**Privacy and Confidentiality** - The obligation to ensure that information captured through surveillance devices is managed securely and protected from unauthorised access, use, or disclosure.

**Recording** - Any audio, visual, or audio-visual data captured by a surveillance device.

**Site** - An approved work location where an employee performs Shire duties under a formal agreement, including home-based, remote, or alternate approved work locations.

**Surveillance Device** - Any device capable of recording visual and/or audio information, including optical surveillance devices, listening devices, and other devices as defined under the *Surveillance Devices Act 1998 (WA)*.

**Wearable Surveillance Device** - A device worn on the body that is capable of recording interactions or activities. This includes both Shire-owned and employee-owned devices used for Shire work, such as body-worn cameras, smart glasses, audio recorders, mobile phones, smart watches or similar technology.

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Responsible Officer: Chief Executive Officer

Contact Officer: Manager Governance & People

Relevant Legislation: *Surveillance Devices Act 1998 (WA).*

Related Documents: O8 Employee Code of Conduct

Review History:

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|------------------------------------------|----------------|
| <b>Date Review Adopted:</b> 21 July 2026 | Adopted by ELT |
| <b>Reference Number:</b>                 | INT26/1FD8F383 |
| <b>Former Policy No:</b>                 | New            |