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Contact Officer:

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7 February 2023

Dear Councillor

Your attendance is requested at a meeting of the **EMPLOYMENT COMMITTEE** to be held in Committee Room 1- Chuntries, Millmead House, Millmead, Guildford, Surrey GU2 4BB on **WEDNESDAY 15 FEBRUARY 2023** at 1.30 pm.

Yours faithfully

Tom Horwood  
Chief Executive

**MEMBERS OF THE COMMITTEE**

Councillor Joss Bigmore (Chairman)  
Councillor Julia McShane (Vice-Chairman)  
Councillor Paul Spooner

**Authorised Substitute Members:**

Councillor Tim Anderson	Councillor Marsha Moseley
Councillor Christopher Barrass	Councillor John Redpath
Councillor David Bilbé	Councillor John Rigg
Councillor Graham Eyre	Councillor James Steel
Councillor Tom Hunt	Councillor Cait Taylor
Councillor Nigel Manning	Councillor Fiona White

**QUORUM 3**

## THE COUNCIL'S STRATEGIC FRAMEWORK (2021- 2025)

### **Our Vision:**

A green, thriving town and villages where people have the homes they need, access to quality employment, with strong and safe communities that come together to support those needing help.

### **Our Mission:**

A trusted, efficient, innovative, and transparent Council that listens and responds quickly to the needs of our community.

### **Our Values:**

- We will put the interests of our community first.
- We will listen to the views of residents and be open and accountable in our decision-making.
- We will deliver excellent customer service.
- We will spend money carefully and deliver good value for money services.
- We will put the environment at the heart of our actions and decisions to deliver on our commitment to the climate change emergency.
- We will support the most vulnerable members of our community as we believe that every person matters.
- We will support our local economy.
- We will work constructively with other councils, partners, businesses, and communities to achieve the best outcomes for all.
- We will ensure that our councillors and staff uphold the highest standards of conduct.

### **Our strategic priorities:**

#### Homes and Jobs

- Revive Guildford town centre to unlock its full potential
- Provide and facilitate housing that people can afford
- Create employment opportunities through regeneration
- Support high quality development of strategic sites
- Support our business community and attract new inward investment
- Maximise opportunities for digital infrastructure improvements and smart places technology

#### Environment

- Provide leadership in our own operations by reducing carbon emissions, energy consumption and waste
- Engage with residents and businesses to encourage them to act in more environmentally sustainable ways through their waste, travel, and energy choices
- Work with partners to make travel more sustainable and reduce congestion
- Make every effort to protect and enhance our biodiversity and natural environment.

#### Community

- Tackling inequality in our communities
- Work with communities to support those in need
- Support the unemployed back into the workplace and facilitate opportunities for residents to enhance their skills
- Prevent homelessness and rough-sleeping in the borough

## AGENDA

### ITEM

**1. APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES**

**2. LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS**

In accordance with the local Code of Conduct, a councillor is required to disclose at the meeting any disclosable pecuniary interest (DPI) that they may have in respect of any matter for consideration on this agenda. Any councillor with a DPI must not participate in any discussion or vote regarding that matter and they must also withdraw from the meeting immediately before consideration of the matter.

If that DPI has not been registered, the councillor must notify the Monitoring Officer of the details of the DPI within 28 days of the date of the meeting.

**3. MINUTES (Pages 5 - 6)**

To confirm the minutes of the meeting of the Employment Committee held on 25 March 2022.

**4. MONITORING (USE OF ELECTRONIC SYSTEMS) POLICY AND PROCEDURE (Pages 7 - 16)**

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# EMPLOYMENT COMMITTEE

25 March 2022

- \* Councillor Joss Bigmore (Chairman)
- \* Councillor Julia McShane (Vice-Chairman)
- \* Councillor Paul Spooner

\*Present

## EM19 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

There were no apologies for absence.

## EM20 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS

There were no disclosures of interest.

## EM21 MINUTES

The minutes of the meeting held on 8 February 2022 were confirmed as a correct record. The chairman signed the minutes.

## EM22 DIRECTORS' PAY AWARD 2022

The Committee was reminded that the pay award for all staff in the salary bands below Director level was agreed each year by the Chief Executive in consultation with the Leader and Deputy Leader of the Council. Separate approval from full Council was required for this pay award to be applied to the Director posts.

The Committee noted that the pay award for the Joint Chief Executive was determined by the Joint Appointments Committee.

The Committee was asked to consider a proposed pay award of 3.75% for directors with effect from 1 April 2022 and make a recommendation to Council on 5 April 2022.

The Committee

RESOLVED: That the recommendation to full Council on 5 April 2022 to approve a pay award of 3.75% for the Director posts with effect from 1 April 2022 in accordance with the Council's adopted Pay Policy Statement, following last year's pay freeze, be endorsed.

Reason:

To apply a pay award to the Director posts that is in line with the general staff pay award for 2022-23, following last year's pay freeze and noting the current higher rate of cost-of-living inflation.

The meeting finished at 12.05 pm

Signed .....

Chairman

Date .....

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Employment Committee Report  
Report of Managing Director (Head of Paid Service)  
Author: Francesca Chapman, Lead Specialist HR  
Tel: 01483 444014  
Email: francesca.chapman@guildford.gov.uk  
Date: 15 February 2023

## **Monitoring (use of electronic systems) Policy and Procedure**

### **Recommendation to Employment Committee**

That the Monitoring (use of electronic systems) Policy and Procedure be approved.

#### Reason for Recommendation:

To ensure that the Council is regulating its activity in this area and is compliant with the Data Protection Act 2018.

### **1. Purpose of Report**

- 1.1 The Employment Committee is responsible for approving the Council's Human Resources Policies.
- 1.2 The Council uses electronic monitoring/tracking devices to help protect the health and safety of our staff and for the prevention or detection of crime or misconduct. The Policy and Procedure set out what data is recorded and the purpose for which this data is used.

### **2. Strategic Priorities**

- 2.1 The Council needs to demonstrate that we have effective governance in place to regulate the use of electronic monitoring and tracking devices.

### **3. Background**

- 3.1 The Council uses electronic communications systems and equipment to promote effective communication and working practices. This policy outlines the circumstances in which we will monitor use of these systems and the action we will take in respect of breaches of these standards. Managers and staff must be made aware of what data is recorded and for what purposes we may use this data.

- 3.2 This Policy provides an overarching approach to monitoring the use of electronic communication systems and equipment and includes signposts towards the Covert Surveillance Policy and ICT Security Policy which provide further information on the Council's approach to these specific issues.

**4. Equality and Diversity Implications**

- 4.1 The Council's duty under section 149 of the Equality Act 2010 is to have due regard to the matters set out in relation to equalities when considering and making decisions. An equalities impact assessment has been conducted on this Policy and has not identified any direct equality impacts associated with it. The Policy and its equality impact will be kept under review.

**5. Financial Implications**

- 5.1 There are no financial implications.

**6. Legal Implications**

- 6.1 The Policy ensures that the Council is regulating its activity in relation to the use and monitoring of electronic communications systems and equipment in compliance with the Data Protection Act 2018.

**7. Human Resource Implications**

- 7.1 There are no additional human resource implications.

**8. Conclusion**

- 8.1 The Council is fulfilling its obligation to regulate its activity in relation to this area.

**9. Background Papers**

None

**10. Appendices**

Appendix 1: Monitoring (Use of electronic systems) Policy and Procedure





# **Guildford Borough Council**

## **Monitoring (use of electronic systems) Policy and Procedure**

### **Document Information**

Version Control: Version 1.0

Policy Service Owner: HR

Document Creation Date: September 22

Document last updated: September 2022

Date/detail of consultation: UNISON May/August 2022

Next review date: September 2024

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# Monitoring (Use of electronic systems) Policy

## Introduction

Guildford Borough Council is committed to ensuring our electronic communications systems and equipment are intended to promote effective communication and working practices within our organisation. This policy outlines the circumstances in which we will monitor use of these systems and the action we will take in respect of breaches of these standards.

Guildford Borough Council uses electronic monitoring/tracking devices to assist with:

- The Health and Safety of our staff and the prevention of injury or harm
- The identification of support and development for training purposes
- The prevention or detection of other forms of misconduct
- The prevention or the detection of crime

The usage of monitoring systems is performed in line with the Data Protection Act 2018 and the accompanying 2018 guidance from the Information Commissioner's Office (ICO) which can be found here [The employment practices code \(ico.org.uk\)](https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/employment)

## Scope

The Monitoring (use of electronic systems) Policy will apply to all Council employees, including probationers and employees on fixed-term contracts.

The policy applies to the use of the following staff monitoring and mechanism systems:

- Staff Pass use data
- CCTV Cameras
- Personal Safety Devices
- Mobile and landline work phones
- ICT Kit (e.g. Laptops, network drives)
- Vehicle Cameras
- Ignition off monitoring
- Vehicle trackers

## Aims and objectives

The objectives of this policy are to:

- ensure that the monitoring and usage of our monitoring and electronic systems is done in a fair and proportionate way
- usage and monitoring are done in line with the Data Protection Act 2018 and the Information Commissioner's Office Guidance [The employment practices code \(ico.org.uk\)](https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/employment)
- ensure Managers and staff are aware what data is recorded and the purpose for which this data is used

## **Support and monitoring the application of the Policy and Procedure**

The Council has conducted a full Equality Impact Assessment on this policy and is satisfied that its application should not result in a differential and negative impact on any groups of employees identified under the nine protected characteristics: age, disability, gender reassignment, race, religion or belief, sexual orientation, marriage and civil partnership, pregnancy and maternity.

## **Links to other strategies and policies**

Covert Surveillance Policy - [Covert Surveillance Policy - Guildford Borough Council Intranet](#)

ICT Policies and Procedures - [IT Security Policy by Protocol Policy Systems Ltd \(itpolicysystem.com\)](#)

Grievance Policy and Procedure - [Grievance Policy and Procedure Summary - Guildford Borough Council Intranet](#)

## **Review and Governance**

We will review this policy every two years or earlier if there are any changes to relevant legislation or appropriate working practices.

We will monitor the effectiveness and usage of this policy.

# Monitoring (Use of electronic systems) Procedure

## List of systems and the reasons for the usage and monitoring of them:

### Pass Use Data

- Information is used to monitor who accesses and leaves the Council buildings so that a record is kept in the event of a building evacuation or security breach.

### CCTV Cameras

- Information is recorded and stored for the protection and safety of Council Staff and security of Council vehicles and property

### Personal Safety Devices

- Information is recorded for the safety and security of staff who are lone workers or involved in roles that could potentially lead to situations of conflict

### Mobile/Landline Phones

- Information is recorded for emergency response purposes and could be used in relation to lone workers in the event of an emergency incident
- Landline phones - calls from reception desk may be recorded made either to listen to as part of workers training, or simply to have a record to refer to in the event of a customer complaint about an employee
- Systematically checking logs of telephone numbers called to detect use of premium-rate lines

### ICT Kit

- Cryoserver may be used in very exceptional circumstances to look at the information in an employee's email account if there is a reasonable suspicion, they have violated council policy or committed a criminal act
- Staff internet usage, although not routinely monitored, may be checked if an employee is suspected of spending disproportionate amounts of time on the internet or accessing inappropriate websites or for other prohibited activities.

### Vehicle Cameras

- These are used for Health and Safety purposes to ensure that correct ways of working are followed and potential follow up training
- They may also be accessed in the event of a claim for damage from a member of the public to provide evidence to defend the claim.
- There are no in cab cameras and sound is not recorded.

#### Ignition off Monitoring

- Council vehicles with the vision camera system have the ability to shut down after 30 minutes of non-usage to save battery power

#### Vehicle Trackers

- Trackers are used in vehicles for Health and Safety purposes should a Council vehicle break down on route or be involved in an accident
- These are also used as part of theft prevention and vehicle recovery
- They are also used as part of the onboard system to give live progress of work to allow active management of resources and task completion
- They are used aid investigation into accidents, particularly for pinpointing time and location.

### **Access to the Data**

The data can be accessed at the Council by the relevant Managers, Heads of Service and Directors, the Data Protection Officer, Human Resources and Health and Safety Officers.

Access can be given to external services such as the Police if a criminal act is being investigated.

In exceptional circumstances a solicitor or insurance officer acting on behalf of an employee may be granted access to such data – e.g., in the case of a compensation claim arising from a work accident

Where the system allows for a login and record of access to the system this will be recorded by the system and a record kept. If an electronic record cannot be kept within the system a record of the access will be recorded manually.

### **Usage of Data in Disciplinary Investigations/Hearings**

The Council will not use monitors or trackers directly to identify instances of staff misconduct without due cause, however, where an investigation is being carried out due to a concern over a member of staff's misconduct or misuse of equipment or it comes to light when addressing another concern or complaint that there is a concern with staff behaviour or performance the Council reserves the right to refer to this data as part of the disciplinary investigation and any subsequent hearing or appeal.

Any logging information used as part of the investigation or any subsequent hearing will form part of the evidence pack available to both parties.

### **Staff Access to Records**

A member of staff can raise a ticket via the Service Desk to request access to any monitoring data held in relation to them.

They also have the right to request formally the information via a Subject Access Request (SAR) as set out in the Data Protection Act 2018.

## **Grievance**

If a member of staff thinks that their information is being monitored/recorded incorrectly they should in the first instance raise this informally with their manager.

If this does not resolve the situation, they are then able to raise it formally through the Council's Grievance Procedure. [Grievance Policy and Procedure Summary - Guildford Borough Council Intranet](#)

If it is found information/data has been accessed or viewed inappropriately, individuals would be subject to a formal disciplinary investigation.

## **Training**

Training will be provided on the policy and procedure for staff and new staff will be asked to review this policy and procedure as part of their Induction.

## **Policy/Procedure Review**

The Monitoring (Use of Electronic System) Policy and Procedure will be reviewed every two years in line with the Council's approach to policy review. Any additional updates will also be taken in relation to changes in relevant legislation or appropriate working practices.

Where an employee needs help reading, understanding or engaging in the policy and procedure because English is not their first language, or they have learning difficulties or a disability which affects their ability in this area, Human Resources will arrange for someone to assist them. This will apply to the whole process and the support will include reading and explaining letters or documentation. To access this support the employee must ask Human Resources as otherwise they may not be aware of the need.

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