

Liverpool Hospital Security Department Fails to Appropriately Consult

Dear Member,

Security Officers at Liverpool Hospital have had to take their own action after their employer failed to appropriately notify them of the installation of a security camera after an alleged safety issue within Security. Once affected workers notified their employer that notification was required under the *Workplace Surveillance Act 2005* (NSW) a 'Draft For Consultation: Risk Assessment Form' was provided. This form identified a risk that required the installation of the camera was dated the same day the camera was installed within the department. Members expressed concerns over the lack of consultation with affected employees about the safety risks identified, as well as the installation of the camera to address these risks without any consultation.

Union members requested the Union Office intervene due to the failure of the employer to respond to their repeated requests for appropriate notification and consultation.

Date	Action Taken	Response/Outcome
26 April 2019	Union Office notified the employer of breaches of legislation and requested the surveillance system remain inactive and the consultation process be engaged in, as per legislation.	Employer responded, noting the matter had been unnecessarily escalated and the matter would be addressed at the Staff Consultative Committee.
29 April 2019	<p>Union Office notified employer was in breach of both the <i>Workplace Health and Safety Act 2011</i> (NSW) and the <i>Workplace Surveillance Act 2005</i> (NSW). A request was made to begin official consultation with affected workers.</p> <p>A particular request was made for the matter to be dealt with in writing, as per the Issue Resolution process in the <i>Workplace Health and Safety Regulation 2017</i> (NSW).</p>	<p>Employer responded, noting a meeting could be established to discuss concerns.</p> <p>The Issue Resolution process clearly outlines for this to happen in writing. This process is triggered when an employer fails consultation around serious concerns.</p> <p>The purpose of doing so allows for the issue to be sent to the Regulator (SafeWork NSW) so an Inspector can be appointed to assist in resolving the issue.</p>
30 April 2019	Union Office reiterated the breaches previously identified and requested the employer respond as required, in writing to the HSU and to the affected	<p>Employer noted notification would be provided in writing.</p> <p>Confirmation not provided regarding status of the memo</p>

	employees. Union Office also requested confirmation as to whether memo sent to employees on 25 April 2019 was considered notification under Workplace Surveillance Act.	under the Workplace Surveillance Act.
1 May 2019	Union Office repeated request to employer to confirm whether memo sent to employees on 25 April 2019 was considered notification under Workplace Surveillance Act.	No response received.
2 May 2019	Union Office repeated prior request to the employer, noting a response was required by Friday 3 May 2019.	Employer provided notification of the installation of a Closed Circuit Television Camera (CCTV) as required under the Workplace Surveillance Act.

The question needs to be asked whether the employer is misusing workplace health and safety issues to install a camera to be used to surveil Security Officers at Liverpool Hospital. An urgent meeting is being called with those affected to discuss concerns, prior to the Union Office setting up meetings with the employer to raise these concerns. This meeting is being held on Thursday 9 May 2019, at 3:15pm.

Concerns raised at this meeting will be officially presented in a forum where both affected employees and management will be present, with a representative from the Union Office in attendance. If you wish to find out more about the relevant legislation and how the matter can be resolved you can check out the attached documents, which outlines the issue resolution procedures under sections 80-82 in the *Workplace Health and Safety Act 2007* (NSW).

Other concerns being raised by members can be discussed at the meeting on Thursday 9 May 2019 and it is anticipated follow up meetings will be held with management at a later date to seek resolution on these. If you have any questions, please contact your Organiser, Sarah Gleeson on 0437 145 778.

In unity,



Gerard Hayes
Secretary, HSU NSW/ACT/QLD