Consultation:

**Employment Practices –** Monitoring at Work

Start date: 12 October 2022

End date: 11 January 2023

ICO consultation on employment practices – monitoring at work draft guidance

The Information Commissioner’s Office (ICO) is producing topic-specific guidance on employment practices and data protection. We are releasing our drafts of the different topic areas in stages and adding to the resource over time. A draft of the guidance on monitoring at work is now out for public consultation.

The draft guidance aims to provide practical guidance about monitoring workers in accordance with data protection legislation and to promote good practice.

Before drafting the guidance, the ICO issued a call for views between August and October 2021. This sought input from relevant stakeholders including:

* employers;
* professional associations;
* those representing the interests of staff;
* recruitment agencies;
* employment dispute resolution bodies;
* workers;
* volunteers;
* employees; and
* suppliers of employment technology solutions.,

This call for views informs our work in developing updated employment guidance. You can view [a summary document of the responses](https://ico.org.uk/media/about-the-ico/consultation-responses/4019364/employment-call-for-views-summary-report-v1_0.pdf) on our website.

We also intend to produce additional practical tools (such as checklists) to go alongside the guidance to help support your employment practices.

The public consultation on the draft guidance will remain open until **11 January 2023**. The ICO welcomes feedback on the specific questions set out below.

Please submit responses by **5pm on 11 January 2023**. We may not consider responses submitted after the deadline.

Alternatively, you can download this document and email to: employmentguidance@ico.org.uk

Or print off this document and post to:

Employment Practices Guidance Team

Information Commissioner’s Office

Wycliffe House

Water Lane

Wilmslow

Cheshire, SK9 5AF

If you have any general queries about the consultation or would like further information, please email us at employmentguidance@ico.org.uk.

**Privacy statement**

For this consultation we may publish the responses received from organisations or a summary of the responses. We will not publish responses from individuals acting in a private capacity. If we do publish any responses, we will remove email addresses and telephone numbers from these responses but apart from this we will publish them in full. Please be mindful not to share any information in your response which you would not be happy for us to make publicly available.

Should we receive an FOI request for your response we will always seek to consult with you for your views on the disclosure of this information before any decision is made.

For more information about what we do with personal data please see our [privacy notice](https://ico.org.uk/global/privacy-notice/responding-to-our-consultation-requests-and-surveys/).

Q1: How far do you agree or disagree that the draft guidance is clear and easy to understand? Please explain the reasoning for your choice.

[ ]  1 - strongly disagree

[ ]  2 – disagree

[ ]  3 – agree

[ ]  4 – strongly agree

[ ]  Unsure/don’t know

Comments:

Q2: How easy or difficult was it to find information in the draft guidance? If your answer is very difficult or difficult, please provide your suggestions on how we can improve the structure or how we could make it easier to find information.

[ ]  1 – very difficult

[ ]  2 – difficult

[ ]  3– easy

[ ]  4 – very easy

[ ]  Unsure/don’t know

Comments:

Q3: Does the draft guidance cover the relevant issues about monitoring at work? If no, unsure or don’t know, what other issues would you like us to cover?

|  |
| --- |
|[ ]  Yes |
|[ ]  No |
|[ ]  Unsure/don’t know |

Q4 Are there any additional examples or scenarios you’d like to see in the guidance?

[ ]  Yes

[ ]  No

[ ]  Unsure

Comments:

Q5: Please provide any further comments or suggestions you may have about the draft guidance.

About you

Q6: Are you answering as:

[ ]  An organisation or person employing workers

[ ]  A representative of a professional, industry or trade association

[ ]  An organisation representing the interests of employees, workers, self-employed (eg charity, employment advocacy organisation)

[ ]  An employment rights professional body or advice service

[ ] A trade union

[ ]  A recruitment agency

[ ]  An academic

[ ]  A supplier of employment technology solutions (eg monitoring software, HR systems)

[ ]  An individual acting in a professional capacity

[ ]  An individual acting in a private capacity (eg someone providing their views as a member of the public)

[ ]  An ICO employee

[ ]  Other

If you state ‘Other’ please ensure that you specify here:

Q7: Please specify the name of your organisation:

Q8: How would you describe your organisation?

[ ]  Micro-organisation (no more than 10 members of staff)

[ ]  Small and medium organisation (no more than 250 members of staff)

[ ]  Large organisation (more than 250 members of staff)

[ ]  Not applicable

Q9: We may want to contact you about our employment practices guidance and some of the points you have raised. If you are happy for us to do this, please provide your email address:

Q10: How did you find out about this consultation?

[ ]  ICO website

[ ]  ICO Twitter account

[ ]  ICO Facebook account

[ ]  ICO LinkedIn account

[ ]  ICO staff member

[ ]  ICO newsletter

[ ]  Colleague from your organisation

[ ]  Person outside your organisation

[ ]  Other

Thank you for taking the time to complete this consultation.