

**Senate Finance and Public Administration Legislation Committee
—Budget Estimates Hearing—May 2014**

Answers to Questions on Notice

Parliamentary departments, Department of Parliamentary Services

Topic: **Access to staff emails**

Question: **310**

Written: **Senator Faulkner**

Date set by the committee for the return of answer: 11 July 2014

1. For what reason could a manager in DPS access a staff member's emails?
 - a. If it is possible, what approval is required to do so?
 - b. Has it ever happened?
 - c. What records are made?
 - d. Are staff notified?

Answer

1. Access to staff emails would be considered in cases where:
 - i. There is a specific business need to access email records, and an employee is unavailable to action a request (e.g. when they have left the department);
 - ii. A manager has concerns about potential misuse of email facilities;
 - iii. Emails may serve as evidence in an investigation (unrelated to misuse of email facilities).

- a. Access must be approved by the Secretary.

For category i, a request would be made through the relevant SES officer to the Secretary

For categories ii and iii, a written request to access an email account is made to HR Services for consideration. HR Services would consider a case and if warranted, request permission from the Secretary to access the account.

- b. Yes
- c. The request to access the emails is retained as a corporate record on our electronic document records management system. Any emails used as evidence in a formal Code of Conduct investigation would form attachments to the final report which is also retained.
- d. A notice of investigation is issued to any staff who are subject to a Code investigation and staff are advised of what evidence has been obtained. This is consistent with DPS Policy and Procedures and mirrors the broader APS process.

Where a manager's concerns about potential use of facilities are not substantiated in a preliminary investigation and no further action is taken, then a staff member may not be advised that their account has been accessed.

Where a staff member has left the department, they may not be advised of the access.

However, staff requesting access to the PCN are put on notice that their system use, including their email account, may be monitored by DPS given that the PCN is a departmental system provided for work purposes. Further, the DPS policy on Internet and Email Use specifies that an employee's account may be monitored at any time (including, but not limited to, ensuring that the employee's use of electronic facilities is consistent with that policy).