Workplace monitoring: Prospect calls for stronger protection for members

A Prospect briefing • November 2026

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Overview

Prospect's response to the Government consultation on workplace monitoring technologies

Workplace monitoring technologies are becoming increasingly common, from software that tracks computer activity, to GPS tracking and artificial intelligence (AI) used to assess performance. Whilst Prospect supports the responsible use of data-gathering technology that helps workers and organisations, monitoring must not come at the expense of privacy, dignity, wellbeing or rights.

Prospect has been campaigning and lobbying on this issue for some years, resulting in a Government commitment to consult on strengthening regulation in this area.

In our response to the Government's *Make Work Pay* consultation on Workplace Monitoring Technologies, Prospect has called for stronger legal protections and a meaningful role for trade unions in decisions about workplace monitoring.

What is the problem?

Prospect members across technology, telecommunications, aviation, public services and more have reported monitoring systems being introduced without adequate information, consultation or safeguards.

Examples include:

- **Tracking computer activity:** monitoring keystrokes, screen time, messages and software use, sometimes without workers knowing it is happening.
- **AI-driven performance assessments:** using automated systems to score workers or judge productivity, even when the measures do not accurately reflect the quality or complexity of their work.
- **Location and vehicle monitoring:** collecting GPS and driver behaviour data for one stated purpose, then using it in disciplinary proceedings.
- **Recording and surveillance:** using CCTV, recorded conversations and digital collaboration tools in ways workers may not expect.

Members have described stress, loss of trust, concerns about privacy and fears that inaccurate data could be used against them. Monitoring can also discourage open communication between colleagues and make it harder for workers to discuss workplace issues or organise collectively.

Prospect is particularly concerned that technology introduced for potentially legitimate reasons, such as safety or cybersecurity, can subsequently be used for performance management or disciplinary action without adequate transparency or justification.

Technology can bring benefits with the right safeguards

Prospect recognises that data gathering technologies can sometimes serve legitimate and valuable purposes. They can support safety, protect sensitive information, help investigate accidents and meet regulatory requirements. For example, recordings in air traffic control have a role in safety and training, while vehicle monitoring can help improve driver safety and environmental efficiency.

Monitoring of workers, however, must be necessary and proportionate to its purpose. Workers should understand what information is collected, who can access it, how long it is retained and how it may affect decisions about them. Data should also be anonymised unless individual identification is necessary and employers must not use information for unrelated purposes without proper justification and safeguards.

What is Prospect calling for?

Employers already have duties under GDPR to respect the rights and interests of workers, including informing and consulting them, when it comes to gathering and processing data about them. However, our experience has shown that employers are too often ignoring these frameworks and that enforcement is currently weak.

Prospect's lobbying and campaigning on this issue over recent years (https://prospect.org.uk/news/workplace-digital-monitoring-and-surveillance-what-are-my-rights; https://prospect.org.uk/news/prospect-survey-shows-surveillance-software-being-used-on-tech-workers; https://prospect.org.uk/news/its-vital-workers-are-informed-about-and-involved-in-designing-workplace-monitoring-tech) contributed to the Government launching a consultation on proposals to support "the fair, transparent and responsible use of workplace monitoring technologies".

Prospect has considered the Government's three proposed approaches and believes that **a legal duty to consult and negotiate with workers and their representatives is essential.**

1. Mandatory consultation before monitoring is introduced or changed

Employers should be legally required to consult and negotiate with a view to agreement before introducing new monitoring systems or making significant changes to existing ones. Where a recognised trade union is present, it should be involved. Where there is no recognised union, appropriate alternative representative arrangements should be available without allowing employers to bypass recognised unions. Consultation should also take place early enough for workers to influence decisions, identify risks and propose alternatives before a system is implemented.

2. A statutory code of practice as an additional safeguard

Prospect believes a statutory code could help establish clear standards for responsible monitoring, but it would not be enough on its own. Existing data protection responsibilities are already too often overlooked and relying on workers to challenge misuse after the damage has been done is inadequate. A code should therefore complement a legal consultation requirement, supported by practical guidance that can be updated as technology develops.

3. Meaningful enforcement

Consultation must be genuine, not a box-ticking exercise. Where employers fail to consult properly, there should be effective remedies, including the ability to suspend or delay implementation until a compliant process has taken place, requirements to provide information and appropriate financial penalties or compensation.

Why trade unions matter

Prospect's experience shows that constructive engagement between employers and unions can lead to better outcomes. For example, consultation with Prospect helped prevent the introduction of driver-facing cameras where the benefits did not justify the loss of workers' privacy. In other workplaces, agreements have restricted access to recordings, limited their use to specific purposes and allowed privacy protections when company devices or vehicles are used outside work. These arrangements can protect workers while allowing organisations to use technology effectively. They can also prevent costly disputes, improve trust and help ensure that new systems work as intended.

What happens next?

Prospect will continue to press for an approach that protects workers' rights while allowing technology to be used responsibly and productively.

Under UK GDPR legislation, reps can ensure data protection impact assessments – which are a requirement of the legislation – are undertaken, and that they are consulted as part of this process.

Prospect's guide on how existing UK GDPR frameworks can be used to check or challenge employer behaviour in this area is here:
https://prospect.org.uk/about/data-protection-impact-assessments-a-union-guide/

Our message to the Government and employers is clear: workers must have a meaningful voice in decisions about the technologies used to monitor them. Consultation must happen before systems are introduced, safeguards must be enforceable, and responsibility for their proper use must be clear