

Call Recording Policy

Purpose	To provide a clear policy for the management of call recording within a compliant framework
Responsibility	Practice Manager
Review	October 2022

DOCUMENT REVISION AND APPROVAL HISTORY

Version	Date	Version Approved By:	Changes
V1.0	25/10/2021	Edward Rigby	New Policy

1. Introduction

Malpas Surgery ('the Practice') records incoming and outgoing telephone calls made via Reception only. *Dispensary calls and calls with Clinical Staff in Consultations are not recorded.*

The Practice will make every reasonable effort to advise callers that their call may be recorded and for what purpose the recording may be used. This will normally be via a pre-recorded message within the telephone system and via signage at the practice.

2. Purpose of call recording

The purpose of call recording is for training and monitoring purposes. This includes the provision of a record of incoming and outgoing calls which can:

- Identify practice staff training needs
- Protect practice staff from nuisance or abusive calls
- Establish facts relating to incoming/outgoing calls made (e.g. complaints)
- Identify any issues in practice processes with a view to improving them (e.g. to aid workforce planning)

3. Legal basis for call recording

The following legal bases can be attributed to the need to record inbound and outbound telephone calls from the Practice as per Articles 6 & 9 of the GDPR:

Personal Categories of Data may be processed as part of recorded telephone conversations. The lawful basis for such processing will be:

Article 6(1)(a) – ‘the data subject has given consent to the processing of his or her personal data for one or more specific purposes.’

Article 6(1)(e) – ‘the performance of a task carried out in the public interest.’

Article 6(1)(f) – ‘processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.’

Special Categories of Data may be processed as part of recorded telephone conversations. The lawful basis for such processing will be:

Article 9(2)(a) – ‘the data subject has given explicit consent to the processing of those personal data for one or more specified purposes’

Article 9(2)(f) – ‘processing is necessary for the establishment, exercise or defence of legal claim.’

Article 9(2)(h) – ‘processing is necessary for the purposes of preventative or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment.’

Article 9(2)(i) – ‘process is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices.’

4. Scope of this policy

Although all Reception calls will be recorded, under normal circumstances call recordings will not be retrieved or monitored. The following exceptions are deemed abnormal circumstances which may result in the retrieval and monitoring of a call or a series of calls.

- It is necessary to investigate a complaint or grievance.
- When a training need has been identified.

- There is a threat to health and/or safety of staff, patients or a third party.
- It is necessary to check compliance with regulatory procedures.
- For safeguarding purposes.

5. Collecting information

Personal and sensitive data collected in the course of recording activities will be processed fairly and lawfully in accordance with the current Data Protection Act and the European General Data Protection Regulation. It will be:

- Adequate, relevant and not excessive.
- Used for the purpose(s) stated in this policy only and not used for any other purpose.
- Accessible only to the Practice Management and Partners.
- Treated confidentially.
- Stored securely.
- Not kept for longer than necessary and will be securely destroyed in line with the Practice Data Retention Schedule.

Call recording scope and capability is included in the Practice Privacy Notice.

6. Advising callers that calls are recorded/monitored

There is a recorded message which informs incoming callers that their call is being recorded. Employees are made aware that their calls are recorded through the Practice policies.

The policy is published for employees on TeamNet and for all on the Practice website.

If a patient informs a member of staff that they do NOT want their call recorded, the call is to be forwarded to a handset that is not within the call recording group (i.e. a non-reception phone).

7. Procedure for managing and releasing call recordings

The voice file will be stored within the telephone recording system software (Redbox) with access to the recordings controlled and managed by Practice Management. Browsing of recordings for no valid reason is not permitted.

Individuals requesting access to their call recordings will be handled as subject access requests.

Every individual has the right to access the information that the Practice holds about them. This includes recorded telephone calls. Therefore, the recordings will be stored in such a way as to enable the retrieval of information relating to one or more individuals as easily as possible.

An individual's right to be forgotten will be addressed on a case-by-case basis. There may be a legal basis to refuse such a request e.g. in the event of sensitive health data being contained in call recordings or in the event of establishing, advancing or defending a claim.