

# **Practice Call Recording Policy**

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## **1. General Principles**

The General Data Protection Regulation (GDPR) protects personal information held by organisations on a computer and relevant filing systems. GDPR enforces a set of standards for the processing of such information. These standards ensure that all data shall be used for specific purposes only and is not used or disclosed in any way incompatible with these purposes.

In the course of the activity, the practice will collect, store and process personal data including the recording of all non-clinical calls. The practice recognises the correct and lawful treatment of this data will maintain confidence in the organisation and will provide for successful business operations.

## **2. Call Recording Overview**

For call recording at Leeds Student Medical Practice for non-clinical calls incoming to and outgoing from Reception, the following GDPR conditions will be met:

### Article 6, 1 (e)

1. <sup>1</sup>Processing shall be lawful only if and to the extent that at least one of the following applies:

(e) Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;

### Article 9, 2 (h)

1. Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation shall be prohibited.
2. Paragraph 1 shall not apply if one of the following applies:

(h) processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of Union or Member State law or pursuant to contract with a health professional and subject to the conditions and safeguards referred to in paragraph 3;

Relating to Article 6, 1 (e), specific consent is not required to conform to GDPR; notification by pre-recorded message before answering the call (for incoming calls) and notification by opening sentence by the team member answering the call (for outbound calls) will be sufficient.

### **Purposes of call recording**

The purpose of call recording is to provide an exact record of the call which can

- Protect the interests of both parties
- Help improve the Practice performance and best practice
- Help protect practice staff from abusive or nuisance calls
- Establish the facts in the event of a complaint from either a patient or member of staff and so assist in resolving it
- A call recording may also be used as evidence in the event that an employee's telephone conduct is deemed unacceptable. In this situation the recording will be made available to the employee's manager, to be investigated as per the Practice Disciplinary Policy

The telephone call recording system in operation will record all incoming and outgoing non-clinical telephone calls and recordings may be used to investigate compliance with the Practice's policies and procedures, to provide further training, to support the investigation of complaints, to ensure the Practice complies with regulatory procedures and to provide evidence for any regulatory investigation.

All call recordings are encrypted and stored on a secure server at the system provider's headquarters. Call recordings will only be accessible to 3 named members of staff and will not be readily accessible to the rest of the practice.

### **3. Communicating the Call Recording system**

The practice will inform the caller that their call is being monitored/recorded for the reasons stated above. This will be communicated to patients by:

- Publishing a summary of this policy on the Practice website
- Informing all patients in the first instance via a recorded announcement for incoming calls
- For outbound calls, where no automated announcement exists, the caller will inform the patient that their call is being recorded

### **4. Procedures for managing and releasing call recording**

- a) The recordings shall be stored securely in encrypted repositories, with access to the recordings controlled and managed by the Data Controller or any other persons authorised to do so by the Data Controller
- b) Access to the recordings is only allowed to satisfy a clearly defined business need and reasons for requesting access must be formally authorised only by a relevant Partner or Manager. All requests for call recordings should include the following:
  - The valid reason for the request
  - Date and time of the call if known
  - Telephone extension used to make/receive the call if known
  - External number involved if known
  - Where possible, the names of all parties to the telephone call
  - Any other information on the nature of the call
- c) The browsing of recordings for no valid reason is not permitted

- d) The GDPR allows persons access to information that we hold about them. This includes recorded telephone calls. Therefore, the recordings will be stored in such a way to enable the Data Controller to retrieve information relating to one or more individuals as easily as possible. There may be a requirement for the person requesting the information to state the time and date of the call for identifying purposes.
- e) Requests for copies of telephone conversations made as Subject Access Requests under the GDPR must be notified in writing to the Practice immediately and, subject to assessment, he/she will request the call recording and arrange for the individual concerned to have access to hear the recording. This could be through a link that has been sent to the patient where they can listen to the recording for a set time period/number of occurrences.
- f) In the case of a request from an external body in connection with the detection or prevention of crime e.g. the Police, the request should be forwarded to the Data Controller who will complete the request for a call recording
- g) Requests for copies of telephone conversations as part of staff disciplinary processes will only be released with the written agreement of the Data Controller, or any other person authorised by the Data Controller, who will consult with the Data Controller before approval is granted
- h) Recordings of calls will be encrypted and stored electronically in a secure environment. Call recordings will periodically be archived, in line with electronic and paper file archiving time scales, to external hard drives. Recordings will be deleted after 3 months.
- i) Call recording are 265bit encrypted and provide secure user password protected logon access control. Recordings can be quickly located using multiple search criteria to ensure GDPR requirements for Right to Access, Right to be Forgotten and Data Portability can be complied with

Infringement of this Policy could expose the Practice to data breaches and subsequent fines or substantial compensation.

Any infringement of this Policy is considered by the Practice to be a serious offence and may result in disciplinary action. In the event that any member of staff feels he/she has accidentally breached the above policy will be required to inform their line manager immediately.