Belvedere medical Centre

CALL RECORDING PRIVACY POLICY

This policy outlines the practice’s call recording process. The purpose of call recording is to provide 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)

This policy does not cover telephone consultations made from the practice with clinical staff. These telephone consultations are a clinical event and are recorded in writing in the clinical record. This will generally be via a standard coded and text entry using the clinical system in the traditional way and will be retained for the same period as the remainder of the medical record.

The purpose of this policy is to ensure that call recording is managed in line with Data Protection Act 2018 requirements. 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. The voice file will be stored within the telephone recording system software to which the same rules of confidentiality will apply. The practice’s data protection registration covers voice files similarly to other data. Where a patient requests to listen to a recording then this should be allowed within the general provision of a data subject access request under the General Data Protection Regulations (GDPR)/Data Protection Act. This policy applies to all practice staff including any contracted or temporary workers.

All calls via the telephone system will be recorded. Recording will automatically stop when the practice staff member terminates the call. Callers will be advised that the call will be recorded for training and monitoring purposes in the form of an automated voice message and via an information notice displayed at the surgery plus information contained on the surgery website.

Playback, Monitoring and Storage of Recorded Calls Monitoring of the call recordings will be undertaken by the Practice Manager. Any playback of recordings will take place in a private setting and where applicable, individuals should be given the opportunity to listen to the relevant recordings to receive feedback and developmental support.

All recordings are held in Gamma’s datacentres split across London and Manchester. The datacentres and the Horizon service itself are both accredited to ISO27001 information security standards. The recordings are encrypted at rest, and the only way it can be accessed is via the call recording portal which will be controlled and managed by the practice manager. Recordings will be accessed by logging into a dedicated, password protected computer system. Call recordings will be retained by the practice for 90 days. Calls that contain only administrative information, such as enquiries about appointments, are only retained for 90 days and are then routinely deleted. Clinical data transcribed from your telephone or other electronic consultations may become part of your clinical record and is retained according to relevant rules and regulations, see Privacy Notice on Direct Care.

**Confidentiality**

The Data Protection Act allows patients access to information that is held about them. This includes recorded telephone calls. Requests for copies of telephone conversations can be made under the Data Protection Act as a “Subject Access Request”. After assessing whether the information is still on the system and can be released, the requestor can be invited to the practice premises to hear the recording.

**Right to access and correct**

You have the right to access the data that is being shared and have any inaccuracies corrected. We can provide copies of recordings if they have not been deleted. There is no right to have accurate medical records deleted except when ordered by a court of Law.

**Rights to object**

You have the right to object to some or all the information being processed under Article 21. Please contact the Data Controller or the practice. You should be aware that this is a right to raise an objection that is not the same as having an absolute right to have your wishes granted in every circumstance

A data subjects have the right to the erasure of personal data concerning them. ‘The right to be forgotten’ does not override legal and compliance obligations. If there is a request from an external body relating to the detection or prevention of a crime (e.g. police), then requests for information should be directed to the Practice Manager. Belvederemedicalcentre@nhs.net

Under GDPR, organisations are prohibited from recording the personal conversations of staff, even with consent, and therefore need to ensure that while business calls are recorded, personal calls always remain private.

**Right to Complain.**

You have the right to complain to the Information Commissioner’s Office, you can use this link https://ico.org.uk/global/contact-us/ or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 745 Privacy Notice – Recording telephone calls (national rate) There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website) \* “Common Law Duty of Confidentiality”, common law is not written out in one document like an Act of Parliament. It is a form of law based on previous court cases decided by judges; hence, it is also referred to as 'judge-made' or case law. The law is applied by reference to those previous cases, so common law is also said to be based on precedent. The general position is that if information is given in circumstances where it is expected that a duty of confidence applies, that information cannot normally be disclosed without the information provider's consent. In practice, this means that all patient information, whether held on paper, computer, visually or audio recorded, or held in the memory of the professional, must not normally be disclosed without the consent of the patient. It is irrelevant how old the patient is or what the state of their mental health is; the duty still applies. Three circumstances making disclosure of confidential information lawful are: • where the individual to whom the information relates has consented; • where disclosure is in the public interest; and • where there is a legal duty to do so, for example a court order.