

# Call Recording Policy

Laurel Bank Surgery, Cheshire

<b>EFFECTIVE DATE</b>	29.01.26	<b>NEXT REVISION DUE DATE</b>	31.01.27	<b>VERSION NO.</b>	2.0
<b>RESPONSIBILITY OF</b>	Managing Partner				
<b>APPLIES TO</b> (Indicate relevant groups to this protocol/policy).	Doctors		Nursing Team		
	AHPs		Management		X
	O/Admin		Reception		X
	Dispensary		Clinical coding		
	Secretaries		All staff		
	Other (specify):	Partners			

VERSION HISTORY				
VERSION	AUTHOR	REVISION DATE	DESCRIPTION OF CHANGE	APPROVED BY
1.0	E Rigby	25/10/2022	New Policy	E Rigby
2.0	E Rigby	29/01/2026	Updated in line with latest ICO guidance	E Rigby

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### 1. Purpose

To set out a clear and legally compliant framework for the recording, storage, retrieval, and use of telephone calls within the Practice. The policy ensures that call recording is undertaken transparently, proportionately, and in accordance with UK GDPR, the Data Protection Act 2018, the NHS Records Management Code of Practice, and ICO guidance on monitoring and surveillance.

### 2. Introduction

Malpas Surgery ('the Practice') records incoming and outgoing telephone calls made via Reception. Calls made via Dispensary and calls between patients and Clinical Staff during consultations are not recorded.

The Practice ensures callers are informed that calls are recorded and the purposes for doing so. Notification is provided through a pre-recorded message on the telephone system and signage within the Practice.

Call recording is undertaken to support patient safety, staff wellbeing, service quality, and regulatory compliance. All recording is carried out in accordance with the principles of lawfulness, fairness, transparency, data minimisation, and accountability

### 3. Purpose of call recording

The purpose of call recording is for training and monitoring purposes. Call recording supports the Practice in:

- Identifying staff training and development needs.
- Protecting staff from abusive, threatening, or nuisance calls.
- Establishing facts relating to complaints, incidents, or disputes.
- Supporting service improvement and workflow planning.
- Ensuring compliance with regulatory and contractual obligations.
- Providing evidence in safeguarding, legal, or clinical governance matters.

Call recordings are not used for performance monitoring beyond the purposes listed above.

## 4. Legal basis for call recording

Call recording may involve the processing of personal data and special category data. The Practice relies on the following lawful bases under UK GDPR and the Data Protection Act 2018:

### Personal Data (Article 6 UK GDPR)

- **Article 6(1)(e)** – Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority (NHS primary care services).
- **Article 6(1)(c)** – Processing is necessary for compliance with a legal obligation (e.g., responding to complaints, safeguarding, regulatory investigations).
- **Article 6(1)(f)** – Processing is necessary for the legitimate interests of the Practice (e.g., staff protection, service quality), balanced against the rights of the individual.

Consent is **not** relied upon as the primary lawful basis, as call recording is necessary for the Practice's public task and legitimate interests. However, callers may request that their call is not recorded.

### Special Category Data (Article 9 UK GDPR)

Where special category data is processed during a recorded call, the following conditions apply:

- **Article 9(2)(h)** – Processing is necessary for the provision of health or social care.
- **Article 9(2)(f)** – Processing is necessary for the establishment, exercise, or defence of legal claims.
- **Article 9(2)(g)** – Processing is necessary for reasons of substantial public interest (e.g., safeguarding).

Explicit consent is not required where another Article 9 condition applies.

- **Article 9(2)(i)** – Processing is necessary for reasons of public interest in the area of public health

## 5. Scope of this policy

All Reception calls are recorded. Recordings are not routinely monitored or listened to.

Retrieval and review will occur only under the following circumstances:

- Investigation of a complaint, incident, or grievance
- Identification of a training or service improvement need
- Threats to the safety of staff, patients, or others
- Safeguarding concerns
- Regulatory, legal, or contractual compliance checks

- Requests made under data protection legislation (e.g., subject access requests)

Routine or random monitoring is not undertaken.

## **6. Collecting information**

All personal data captured through call recording is processed in accordance with UK GDPR and the Data Protection Act 2018. Data will be:

- Adequate, relevant, and limited to what is necessary.
- Used only for the purposes stated in this policy.
- Accessible only to authorised Practice Management and Partners.
- Processed securely, with technical and organisational controls.
- Retained only for the minimum period necessary, in line with the NHS Records Management Code of Practice.
- Securely destroyed once no longer required.

Call recording capability and purposes are included in the Practice Privacy Notice.

## **7. 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).

## **8. Procedure for managing and releasing call recordings**

The voice file will be stored within the telephone recording system software (CHECK Comms, or successor) 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 processed as Subject Access Requests under UK GDPR.

Recordings must be retrievable by date, time, and caller/recipient where possible.

Requests for erasure (“right to be forgotten”) will be considered case-by-case. Erasure may be refused where:

- The recording contains health data required for clinical or legal purposes.
- The recording is required for safeguarding, regulatory, or legal defence.
- Retention is required under NHS or statutory retention rules.

