

# Telephone Recording Policy

February 2023



## 1. Introduction

The purpose of this policy is to describe the telephone call recording policy for the Police Investigations & Review Commissioner (PIRC)

As a working document it reflects the practices in place within the organisation. As such, it will be regularly updated and reviewed as improvements to practices are identified.

It is designed to be a practical reference guide, and includes:

- general commentary
- an overview of key business processes
- references to relevant policies
- examples of standard forms
- underpinning frameworks

The policy aims to minimise intrusion by restricting access to, and use of, recordings to limited and specified purposes only.

## 2. Scope

This policy aims to outline the procedure and purpose for recording calls made to the offices of the PIRC.

Incoming calls made to the PIRC's main telephone number, 01698 542900 are automatically recorded, and callers are alerted to this via a message prior to be connected to PIRC staff. In addition, calls made to a small number of individual named extensions are also recorded. These numbers relate to staff employed within the Review Team.

Recording of any calls made to the PIRC's main telephone number is stopped once these calls are transferred to a number which is not included on the recordable extension list.

## 3. Policy

Purposes of call recording

The purpose of call recording is to provide an exact record of the call for the following purposes:

Quality monitoring – Written records only provide partial information. A call recording provides a more rounded view and can help us identify any improvement areas.

Training and Development – Listening to a sample number of calls, allows managers to identify training needs.

Complaints and disputes – Some calls are verbally resolved. Where information is entered onto an electronic system this becomes the established record. In the event of a complaint



or dispute, a call recording (if available), may provide additional information to help us investigate any allegations.

Employee safety and wellbeing – A recording may become a vital piece of evidence in the event of any threats being made to the organisation or an individual.

provide an alternative accurate method of receiving a complaint for our office if the need is required.

Any employee can request to extract the recording of a telephone call from the telephone system. Staff from the Review and Corporate Services Teams are able to do this.

Staff can draw a particular recording to a manager's attention if they feel it is useful for evidence purposes in the event of a caller complaint or unacceptable caller behaviour.

Every call record includes the following components:

- date, time and duration of the call;
- the content of the call, i.e., the words spoken by the caller and PIRC staff member;
- the telephone number the caller is calling from (unless withheld);
- the receiving telephone and, by deduction, the identity of the PIRC staff member.

If a Subject Access Request is made for the recording from a caller this will be processed and a decision made as to the information released on a case by case basis. This will normally be in the format of a transcript and not a recording of the call or to have the recording amended to remove the voices of PIRC staff within the content of the recording.

#### **4. Data Protection**

Recordings constitute the personal data of both the caller and the PIRC staff member. Therefore, they will be managed in such a way that the rights of data subjects (callers and staff members) can be fulfilled, and all the obligations of the data controller (PIRC) are observed, in conjunction with PIRC's data protection policy.

##### **Incoming Calls**

Every caller is informed that the call may be recorded through a pre-recorded telephone welcome message before connection is made to a PIRC staff member.

##### **Outgoing Calls**

As with incoming calls, callers must be informed that their call may be recorded. This may be done using a pre recorded statement played to the individual.



Recordings will normally be retained for one month and then automatically deleted from the system. Some recordings may be extracted and retained for longer than one month for the following reasons:

If required to support a complaint being reviewed by this office against a body under the PIRC's jurisdiction. In this case the recording will be retained until a decision has been recorded on the case and the expiry of any review period.

For a complaint against a staff member, the recording will be retained until the completion of the standards of service complaint procedure and the expiry of any review period. If necessary, the recording will be retained until the end of any disciplinary action against staff and employment tribunal proceedings.

If the call has been identified by a member of the PIRC management team as valuable for staff training. In this case the recording will be retained until it is no longer useful for this purpose.

If identified as evidence for the PIRC's procedure for dealing with unacceptable behaviour towards staff.

A caller or a member of staff can make a subject access request for a recording. These recordings will be located by reference to the date and time of the call and the caller's telephone number. Callers asking for the recordings of their calls will have to provide enough information about date, time and staff member to enable them to be found.

All reasonable attempts will be made to confirm that the identity of the individual making the subject access request matches the identity of the caller. If in doubt the final decision will be made by the PIRC's Data Protection Officer who will balance the privacy of the caller or member of staff with the rights of the individual making a subject access request when coming to a decision. In most cases the personal information of PIRC staff will be removed from any recording, if this is the method for issue. If a permanent copy of a recording is requested this will be provided in a format PIRC can reasonably expect the enquirer will be able to use taking account of the individual's preference (if any) and practicality and cost of preparation. Formats could include WAV, MP3 or other digital format, or a transcript.

## 5. Access controls

The room containing the hardware which records incoming telephone calls is located in a secure room accessible only by electronic pre-programmed fobs. Not all staff are routinely provided with this access.

The computer system which stores telephone calls is password protected, which also restricts access to the system, providing an additional level of security.



Whilst the external contractor which supports the telephone recording system can access the system remotely, this is only to maintain the system, and they do not have access to the calls recorded on it.

Access to the telephone recording system is the responsibility of the Head of Corporate Services (or an individual designated by them) who will grant it only if he or she is satisfied that it is:

- necessary for one or more of the purposes in this policy, or
- in fulfilment of a legal right of access (e.g., a subject access request), or
- both necessary and proportionate within the terms of an exemption to the Data Protection Act non-disclosure provisions (e.g., crime prevention).

***It is a breach of this policy to provide recordings to others, or to use or listen to them, other than for the purposes set out in this policy.*** It is also a serious disciplinary offence and will be dealt with under the appropriate provisions of the Data Protection Policy and/or disciplinary policy and procedure.

## 6. Staff Protection

There is a risk that PIRC staff members receive calls which contain patterns of unacceptable behaviour. A recording may be used as evidence in this situation, or if legal action is appropriate, as per the PIRC's procedure for dealing with unacceptable behaviour towards staff.

A recording may also be used as evidence where a PIRC staff member receives abuse or otherwise unacceptable behaviour from a PIRC colleague. In this situation the recording will be made available to the colleague's line manager, to be investigated in accordance with the PIRC's disciplinary policy and procedure. However recordings will only be available if they are made to one of the telephone numbers designated to have incoming calls recorded. Calls made internally between extension numbers are not recorded.

The decision as to whether a recording will be used as evidence in the situations outlined above will be made by the Head of Corporate Services (or an individual designated by the Head of Corporate Services).

Calls which are downloaded and retained will be stored on the PIRC's network drive in the folder appropriate to the purpose for which the call was downloaded. For example, calls downloaded to evidence an individual's placement on the unacceptable actions list will be retained in their folder within this directory.

Whilst a memory stick can be used to record the call and upload onto the PIRC's G drive, any calls must be deleted immediately thereafter from the memory stick for records management and data protection purposes.



## 7. Roles and Responsibilities

The Corporate Services Manager is the System Administrator and several PIRC administrators are able to download calls which are then stored on the PIRC's G drive.

The employee requesting a copy of the telephone call must only store this in conjunction with the PIRC's retention schedule as outlined in the Records Management Policy.

## 8. Administration of the Policy

This policy is supported by detailed telephone recording system procedures, which set out in detail how this policy is applied in practice. These are held by the Corporate Services Manager. This policy will be published on the PIRC intranet.

## 9. Non Compliance

Individuals who believe that the principles set out in this Telephone Recording Policy have been incorrectly applied may appeal directly to the Head of Corporate Services who will investigate and respond within 20 working days.

## 10. Communication & Contacts

This policy will be shared with all employees within PIRC and will be published on our intranet. Queries should be addressed to the Head of Corporate Services.

## 11. Benchmarks Used in Policy Formulation

- SPSO

## 12. Review of Policy

This Policy is a formal PIRC policy and will be reviewed by PIRC Senior Management Team on a regular basis.



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