

10. Use of Telephones and Mobile Technology.

SECTION 10

10.1. SCOPE

The Council may record telephone conversations of agents operating within its Call Centre system. It does not record or otherwise monitor the content of any telephone conversations outside of this system.

The scope and policy around call recording within the Council's Call Centre systems are shown in Section 10.3

The telephone is an important business tool. However, it should not be used to:-

- 1) Make calls that are offensive, insulting, bullying, racist, obscene or threatening.
- 2) Mislead the caller or to cover misuse.
- 3) Divulge information that has not previously been approved as part of your Business Area's code of practice.

You should not use any telephone number for any other purpose than for which it was intended, nor should it be passed to others unless agreed as part of your approved Business Area's working practice.

You will not normally be able to make 'International' or 'Premium' rate calls from your office telephone. If you have a legitimate business need to make international calls you should request that your Team Leader or Strategic Manager e-mail an authorisation request to the ICT Servicedesk in advance of your requirement.

You will not normally be able to make outside calls from the meeting rooms, with the exception of contacting Wiltshire County Council or the Counselling Service. If you require temporary outside access you should e-mail the request to the ICT Service desk. Alternatively the telephone system has a feature allowing the transfer of call settings for one call.

In the event of a telephone system failure, each floor has a Fax Machine which can be used to make or receive outside calls. Analogue handsets are available from the ICT Servicedesk.

The Council blocks your Caller Identity, (i.e. your telephone number), when dialling out from the corporate telephone system. This means that anyone you have called will not receive a number if they have CLI display or dial 1471 after your call.

If the person you are calling has chosen to block incoming 'anonymous' calls you will need to call them from the fax line or mobile phone, as you will be unable to call them from the corporate telephone system due to the Council's number being blocked.

If you are dialling into the Council, or dialling out from a location from where it would be inappropriate to disclose your number, you are recommended to dial 141 before the dialled number to block the caller id from showing.

10.2. Personal Telephone Calls

You are allowed to make and receive personal calls from the Council's telephone systems providing that: -

- 1) The making or receiving of calls is not excessive and will not impact on your work duties.
- 2) You pay for the cost of personal calls over £1.50 per month on your office telephone or office mobile via Cashiers
- 3) You are aware that the details of the telephone number will be logged and may be accessed by others.

10.3 Telephone Call Logs

The interception, recording and monitoring of telephone calls is governed by a number of different pieces of UK legislation. NWDC must comply with the requirements of all relevant legislation. The main ones are;

- **Regulation of Investigatory Powers Act 2000**
- **Telecommunications (Interception of Communications) Regulations 2000**
- **Telecommunications (Data Protection and Privacy) Regulations 1999**
- **Data Protection Act 1998**
- **Human Rights Act 1998**

10.3.1 Policy

The Council will record all telephone calls received into the Customer Services Call Centre extensions for quality monitoring against the Council's Customer Charter, training and security purposes and to support the investigation of complaints or for disciplinary purposes.

The Council will inform all parties to the conversation at its outset, through a recorded message, that the conversation will be monitored and recorded for quality monitoring and training purposes. The message will not indicate that the recording may be used for security purposes as this might hamper the prevention or detection of crime, and as such, the parties to the call do not need to be informed of this purpose. The investigation of complaints is a function of quality monitoring.

Consent to such monitoring shall be ongoing and there is no need to re-confirm the consent during the conversation, unless the law specifically requires it.

10.3.2 Applicability

This policy applies to all individuals making calls into the Customer Services Call Centre, staff receiving those calls and those wishing to access the recordings of those calls.

10.3.3 Communication

The law says that the Council needs to make reasonable efforts to tell everyone who could use the system that the call will be monitored and recorded. This will be done by:

- Including a recorded message when each call is connected
- Putting a notice on the Council's Website and a notice in Reception.
- Sending an e-mail message to all staff and councillors when the service starts
- Where practical, including a note on brochures and forms which promote the NWDC contact numbers.
- Informing partners who may advise individuals to call or who may call on their behalf.

Note: Where Information collected by intercepting calls includes personal data it comes under the Data Protection Act 1998 and is subject to the 8 data protection principles, set out at Appendix 2 to Section 12 of this Policy.

10.3.4 Definitions

- **Monitoring** - The process of listening into a telephone conversation without making any permanent records including notes.
- **Recording** - A permanent/semi-permanent record of a telephone conversation held on the appropriate storage media.

10.3.5 Use Of Recordings

- a) The recordings shall be stored securely, with access to the recordings controlled on a case by case basis. Access is restricted to the Customer Contact Team Leader, the Senior Customer Support Officers and ICT services for systems administration purposes only.
- b) Access to the recordings is only allowed to satisfy a clearly defined business need. Reasons for requesting access must be documented. Browsing of recordings for no specific purpose is not acceptable. The decision whether to allow access should be taken and documented by the Customer Contact Team Leader or the Senior Customer Support Officers. Copies of the recordings should be destroyed after use (but not the original).
- c) The 1998 Data Protection Act 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 Protection Officer to retrieve information relating to one or more individuals as easily as possible.
- d) Requests for copies of telephone conversations made as Subject Access Requests under the 1998 Data Protection Act must be notified to the Data Protection Officer immediately.
- e) Recordings of calls should be securely (i.e. permanently) disposed of or deleted after the appropriate retention period. Currently calls are only held for 12 months. However, if there is a justified need to retain a specific recording for a longer period, this may be reviewed and the retention period amended. Information will not be retained for a longer period than necessary.
- f) The retrieval of recordings may only be used for those purposes that both parties have been made aware of. eg. identification of training needs or investigating complaints or for disciplinary purposes. Any further uses of the data may only be carried out following the explicit consent of both parties, or where permitted under the Data Protection Act 1998 or other relevant legislation., e.g. for the prevention or detection of crime (such as fraud). Except where explicit consent of both parties to the call has been given, any further use of recordings can only be made with written authorisation from the Data Protection Officer. This may be obtained retrospectively in cases where delay may place individuals at risk of serious harm.

10.3.6 Other

- a) The use of particularly “good” calls as model calls for training purposes must be agreed with the member of staff who received the call. The consent of the caller may be assumed because they are advised at the beginning of the call that it may be used for quality monitoring and training purposes. However, any personal details that identify the caller or someone else, such as a name or an address should be deleted. In addition calls that contain sensitive personal data, where someone gives information about their ethnicity, political opinions, health, religion, trade union membership, sexuality, criminal convictions, allegations, or proceedings should not be used.
- b) If a caller refuses to agree to have their telephone conversation recorded, then they should be transferred to another telephone extension number.
- c) Similarly, Call Centre agents should have access to a private telephone line to make and receive personal calls that are not recorded.
- d) North Wiltshire District Council will not tolerate abusive language or behaviour either by or to its members of staff. All staff have the right to work without fear or verbal or physical abuse. This issue is covered further in the Council’s Aggression at Work policy.

10.3.7 Requesting a copy of a Telephone Recording

The following is the process for request and retrieval of recordings.

A copy of a recorded telephone call may only be requested by the following:

- Either party to the telephone conversation as a Subject Access Request under the Data Protection Act 1998.
- The Strategic Manager or Team Leader for the service which is the subject of a complaint related to the recorded telephone call or the HR Team Leader for the purposes of investigating a complaint
- the Customer Contact Team Leader or the Senior Customer Support Officers where the recordings are to be used for staff training purposes.
- ICT staff for the purposes of system administration.

- The Data Protection Officer making a request in accordance with the 1998 Data Protection Act.
- The Customer Contact Team Leader and the Senior Customer Support Officers or a Strategic Manager where they believe that there may be a threat to the safety and/or welfare of staff or visitors.
- The Section 151 Officer, Internal Audit Manager or Benefits Investigations Team Leader in cases involving the prevention and detection of fraud

10.3.8 Process for Retrieval of Recordings

Recordings are held for **12 months** before being permanently disposed of. All requests for telephone recordings should be made as quickly as possible following an event to enable the recording to be retrieved effectively.

All requests for telephone recordings **must** be made to the Customer Contact Team Leader, the Senior Customer Support Officers or the Data Protection Officer, using the procedure set out below

A request for a telephone recording must be made in writing using the “**Retrieval of recorded telephone call request form**” to the Customer Contact Team Leader or the Senior Customer Support Officers giving details of the following;

- **Date & Time of the call**
- **Telephone extension used to make/receive the call**
- **Where possible, the names of all parties to the telephone call**
- **Any other information on the nature of the call**
- **The reason for the request**

Requests by a party to a recorded call made under the Data Protection Act 1998 should be made directly to the Data Protection Officer who will collect the above information and complete the **Retrieval of recorded telephone call request form**

In the case of a request from an external body in connection with the detection/prevention of crime e.g. The Police, the request should be forwarded to the Data Protection Officer who will complete the Request Form. In the case of an emergency, this consent may be retrospective at the discretion of the Team Leader Customer Contact and the Senior Customer Support Officers

Provided that the access criteria are met, the Team Leader Customer Contact or the Senior Customer Services Officer shall request the ICT Helpdesk to retrieve the requested message and either copy it onto an appropriate storage medium, i.e. Tape/CD or secure access to the recording on the server.

The original recording should be kept in a secure place under the guidance of the Team Leader Customer Contact and the Senior Customer Services Officers for the entire process of the investigation, and until a conclusion is reached.

10.4 Telephone Call Logs

Every external call logged on the internal telephone system, or made on a mobile, is the subject of itemised billing. The details of the number dialled will be available to the various System Administrators of the relevant systems. This information is used to inform you of calls made so that you can request payment from your salary for personal calls.

The internal telephone system keeps a log on each handset of calls made, received and missed etc. Therefore, it is possible for another employee, or user of your phone, to see which numbers have called to, or been called from, the phone.

10.4. Procedure for Security Breaches

You should contact the ICT Servicedesk to report any security breaches, including forced access, improper use, suspected virus, hacking, etc., when the details will be recorded and appropriate action taken.