

6 – Privacy Notice - Call Recording

Plain English explanation

Our practice records incoming telephone calls to:

- Check for accuracy of the request, content of the conversation and details given, should a query arise later.
- Train staff
- Assist in complaints investigations
- Provide evidence of abusive behaviour should it occur

Our practice records outgoing telephone calls to:

- Check for accuracy of the request, content of the conversation and details given, should a query arise later.
- Train staff
- Assist in complaints investigations
- Provide evidence of abusive behaviour should it occur

If you object to this you will need to end the call when you are told that calls may be recorded.

Alternative methods of communication are available: call in person at the surgery.

Your telephone recorded information will not be transferred outside the European Economic Area.

1) Data Controller contact details	Gatley Medical Practice, Old Hall Road, Gatley, Cheadle, SK8 4DG
2) Data Protection Officer contact details	Umar Sabat Stoccg.dpo-stockport@nhs.net
3) Purpose of the processing	To ensure we offer a safe, efficient and effective telephone service to our patients and contacts and to protect our staff, clinicians and partners.
4) Lawful basis for processing	The processing of personal data in the delivery of direct care and for providers' administrative purposes in this surgery and in support of direct care elsewhere is supported under the following Article 6 and 9 conditions of the GDPR: <i>Article 6(1)(c) "processing is necessary for compliance with a legal obligation to which the controller is subject."</i> And <i>Article 9(2)(h) 'necessary for the purposes of preventative 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...'</i>

5) Recipient or categories of recipients of the processed data	The data may be shared with Health and care professionals and support staff in this surgery, NHS England, Police Service.
6) 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
7) Right to access and correct	You have the right to access the data that is being, recorded, shared and have any inaccuracies corrected. There is no right to have accurate medical records deleted except when ordered by a court of Law.
8) Retention period	The recording data will be retained for 1 month on the Telephony System before deletion. The recording in connection to a registered patient will be attached to the medical record and therefore be subject to the Records Management code of Practice for Health and Social Care 2016. Retained until 10 years after death. https://digital.nhs.uk/data-and-information/looking-after-information/data-security-and-information-governance/codes-of-practice-for-handling-information-in-health-and-care/records-management-code-of-practice-for-health-and-social-care-2016
9) 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 (national rate)

* "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.

Categories of Personal Data

- race;
- ethnic origin;

- political opinions;
- religious or philosophical beliefs;
- trade union membership;
- genetic data;
- biometric data (where this is used for identification purposes);
- health data;
- sex life; or
- sexual orientation.

Personal data can include information relating to criminal convictions and offences. This also requires a higher level of protection.

<https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/what-is-personal-data/what-is-personal-data/>