

## **Privacy Notice – Call Recording within Single Point of Access service**

The Kent and Medway NHS and Social Care Partnership Trust has the ability to record telephone calls to protect patients, staff and other health workers. Recordings protect our patients by our having a record of our conversations with you. Staff and other health workers are protected from potential abuse.

We do not record all conversations but if a decision is made in the future to record all calls, then patients will be informed. Call recordings are currently used within our Single Point of Access Service.

When you contact our Single Point of Access Service we will make it clear to you that recordings are taking place.

Calls that contain only administrative information, such as enquiries about appointments, are only retained for 4 weeks and are then routinely deleted.

Calls, or transcripts of calls, audio or audio-visual recordings or elements of the discussion you have with the clinicians that contain clinical information may be added to your medical records, but this will be clarified with you at the time.

The recordings are stored on the Kent and Medway NHS and Social Care Partnership Trust telephone system, provided by Call Handling Ltd, and are protected through the companies GDPR Policy.

These recordings will not usually be shared outside of the organisation, unless there is a need to share some clinical information with other groups of professionals involved in the provision of your care. This information will only be passed on to those who have a need-to-know and will be shared in a secure manner.

If we hold recordings that have not been deleted you can ask for copies by putting a request to the Data Protection Officer.

If you do not wish for the call to be recorded then please tell the member of staff at the time, and a call back without recording will be arranged.

People who have access to your information will only normally have access to that which they need to fulfil their roles, for instance admin staff will normally only have limited access to your information, whilst your clinical treating team will be able to access the full record. All access to your information is logged within the system and is auditable.

You have the right to object to our sharing your data in these circumstances but we have an overriding responsibility to do what is in your best interests.

We are required by Articles in the General Data Protection Regulations to provide you with the information in the following 9 subsections.

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1. <b>Data Controller</b> contact details	Kent and Medway NHS and Social Care Partnership Trust Head Office, Farm Villa, Hermitage Lane, Maidstone, Kent, ME16 9PH
2. <b>Data Protection Officer</b> contact details	Leanne McDougall Head of Information Governance, St Michaels House, St Michaels Road, Sittingbourne, Kent, ME10 3DW
3. <b>Purpose</b> of Processing	We need to collect and record information about you in order to provide the right kind of services to meet your needs. Appropriate collection and sharing of information is an essential part of the provision of your safe and effective care. You could be put at risk if we do not have access to relevant, accurate and up to date information about you.
4. <b>Lawful basis</b> for processing	<p>The processing of personal data for the recording of telephone calls is supporting under the following Article 6 and 9 conditions of the GDPR:</p> <ul style="list-style-type: none"> <li>• <i>Article 6(1)(a) ‘...the data subject has given consent to the processing of his or her personal data for one or more specific purposes’.</i></li> <li>• <i>Article 9(2)(a) The data subject has given explicit consent to the processing of those personal data for one or more specified purposes...”</i></li> </ul> <p>We will also recognise your rights established under UK case law collectively known as the “Common Law Duty of Confidentiality”*</p>
5. <b>Recipient or categories of recipients</b> of the processed data	The data will be shared with Health and Social Care professionals and support staff in this organisation, your GP practice and at hospitals, diagnostic and treatment centres who contribute to your personal care on a need-to-know basis.
6. Rights to <b>object</b>	You have the right to object to some or all the information being processed under GDPR Article 21. Please contact the Data Controller or Data Protection Officer. 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, and the organisation will need to consider what is in the best interests of your care and treatment.
7. Right to <b>access and correction</b>	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.
8. <b>Retention</b> Period	The data will be retained in line with the law and national guidance. <a href="https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016">https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016</a>
9. Right to <b>Complain</b>	<p>You have the right to complain to the Information Commissioner’s Office, you can use this link</p> <p><a href="https://ico.org.uk/global/contact-us/">https://ico.org.uk/global/contact-us/</a></p> <p>or call their helpline Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)</p> <p>There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)</p>