



Call Recording Policy

Document Control

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1. Introduction

1.1. This policy outlines North Devon Councils (NDC/our) call recording process. The purpose of call recording is to provide a record of incoming and outgoing calls which can:

- identify employee training needs
- protect employee from nuisance and abusive calls
- establish facts relating to incoming/outgoing calls made (e.g. complaints)
- identify any issues regarding service process with a view to improving them
- for the detection, investigation and prevention of crime (including fraud)

1.2. The purpose of this policy is for us to manage the access, use and retention of incoming and outgoing telephone contact voice recordings, in accordance with information governance and data protection regulations.

1.3. Recordings could constitute the personal data of both the caller and the advisor. Therefore, we will manage them in such a way that the rights of data subjects (caller and advisor) can be fulfilled. Our obligations as data controller are observed through our Data Protection processes, which can be seen via our website at [Personal data | North Devon Council](#)

2. Scope

2.1. This policy applies to all our employees, including any contracted or temporary workers.

All calls via Zoom **may** be recorded, including:

- All external incoming calls
- All external outgoing calls made by our employees
- All external call transfers

2.2. Recording will automatically stop when our employees terminates the call.

2.3. For absolute clarity, internal calls between colleagues will not be recorded.

3. How we inform

3.1. We advise incoming calls are being recorded for information, training and quality purposes in the following ways:

- Customers are informed when they call any NDC number where we record calls
- For outbound call, we will advise customers if a call is being recorded
- NDC residents are advised in our residents' e-newsletter
- This policy is published on our website

- All employees are informed of our call recording policy when they join us as part of their induction. Employees are regularly reminded of our policy and procedures.

3.2. We reserve the right to record **all** calls; where a customer does not want their call recorded we will notify them of alternative methods of contacting us (online via website, email or face to face in one of our offices) and we will terminate their call.

4. Data Protection and managing call recordings

4.1. The Data Protection Act 2018 allows access to information held about an individual and their personal data, including recorded telephone calls.

4.2. The lawful bases we rely on to process personal data are:

- Article 6(1)(c) of the GDPR: allows us to process personal data when this is necessary to comply with a legal obligation
- Article 6(1)(e) of the GDPR: allows us to process personal data when this is necessary to perform our public tasks as a district council

4.3. If the information provided to us in relation to an enquiry contains special category data, such as health, religious or ethnic information, the lawful basis we rely on to process it is article 9(2)(g) of the GDPR, which also relates to our public task and our legal obligations. In addition to this we also rely on Schedule 1 Part 2(6) of the Data Protection Act 2018 which relates to statutory and government purposes.

4.4. Under UK GDPR, organisations are prohibited from recording the personal conversations of employees, even with consent, therefore as highlighted at paragraph 2.3 we will not record internal calls.

4.5. We will store all call recordings securely, with NDC having access to, and managing them. Only authorised persons will be able to access this data after proving a clearly defined need as outlined in 1.1. The browsing of recordings for no valid reason is not allowed.

4.6. Requests for copies of telephone conversations made as Subject Access Requests must be made in writing to the Council's Data Protection team (using the Council website), with details of when the call took place, what time and who with to enable us to find the recording.

4.7. We will not normally share information. However, there may be certain circumstances where we would share without consent, such as where we are required to do so by law, to safeguard employees and public safety, and in risk of harm or emergency situations.

- 4.8. If the information provided in relation to an enquiry contains special category data, such as health, religious or ethnic information, the lawful basis we rely on to process it is article 9(2)(g) of the GDPR, which also relates to our public task and our legal obligations. In addition to this we also rely on Schedule 1 Part 2(6) of the Data Protection Act 2018 which relates to statutory and government purposes.
- 4.9. In the case of a request from an external body in connection with the detection or prevention of crime, for example the police, the request should be forwarded to the Council's Data Protection team who will complete the request for a call recording.
- 4.10 Requests for copies of telephone conversations as part of employees disciplinary processes will only be released with the written agreement of the authorised manager or Head of Service, or any other person we authorise.
- 4.11 More information can be found on our Data Protection pages on the website:
<https://www.northdevon.gov.uk/council/data-protection-and-freedom-of-information/privacy-and-data-protection>

5. Retention

- 5.1. We will store recordings securely and retain them for 12 months, after which they will be deleted. Any recordings which may be needed for the purpose of criminal proceedings, or longer term investigations, that we have extracted from the system, will be kept in a secure place until any such proceedings/investigations have come to an end. At this point they will be deleted.

6. Security Measures

- 6.1. We store recordings securely, protected from unauthorised access, and we handle them appropriately.
- 6.2. We treat recordings confidentially and we use, store and dispose of them in accordance with the requirements of the:
- Data Protection Act 2018
 - UK General Data Protection Regulation (UK GDPR)
 - The Employment Practices, Data Protection Code
 - Regulation of Investigatory Powers Act 2000 (RIPA)
 - The Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations 2000 (LBP Regulations)
 - The Telecommunications (Data Protection and Privacy) Regulations 1999
 - The Human Rights Act 1998

7. Monitoring and Review

7.1. We will regularly monitor and review the recording policy to ensure its effectiveness and compliance with relevant regulations.