



Denbighshire County Council  
Revenues and Benefits Service

**Housing Benefits and Council Tax Support  
Telephone Claims – Call Recording Policy**

**Revenues & Benefits  
Service  
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# Housing Benefits and Council Tax Benefit Telephone Claims – Call Recording Policy

## REVISION HISTORY

	Description	Date	Author(s)
1.0	Original Draft Policy	Dec 2014	Rod Urquhart

### 1. Introduction

To enable the use of checkbox signatures for telephone declarations as part of our telephone electronic claiming procedure it is necessary to retain evidence of the claim details provided during the making of such a claim and the customer's verbal agreement to that declaration.

Such evidence is required as part of fraud and error detection and for any subsequent fraud investigations and may be used as evidence in a court of law.

As such Denbighshire County Council will install telephone recording equipment for the sole use of taking any electronic claims or changes in circumstances over the telephone. The software installed will not be used for recording the content of any other internal or external calls within the Benefits Service, without prior notice to the customer and only in exceptional circumstances eg where a customer is being abusive and could so lead to a prosecution by DCC.

### 2. Policy Statement

Denbighshire County Council (DCC) will use a telephone recording system, for the purpose of recording telephone claims or changes in circumstances for Housing Benefit and Council Tax Reduction only. Calls will be recorded under the guidelines set out in this Policy, in a professional manner that shows respect for customers, members of staff and anyone else involved in the process and deal with each case as stated in this Policy document. This document has been developed in consultation with stakeholders throughout the DCC area.

This policy will be available to all internal and external stakeholders and will be on Denbighshire's website:

[www.denbighshire.gov.uk](http://www.denbighshire.gov.uk) or [www.sirdinbych.gov.uk](http://www.sirdinbych.gov.uk)

### 3. Aims

This policy will come into effect as soon as the software has been installed and is intended to ensure that the use of telephone call recordings is fair.

This policy aims to provide:

- Guidelines for communicating the Call Recording System
- Guidelines for informing the parties that a conversation will be recorded
- Procedures for managing and releasing call recordings

The policy also aims to ensure and that we comply with the requirements of the relevant legislation. This includes:

- The Regulation of Investigatory Powers Act 2000
- The Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations 2000
- The Privacy and Electronic Communications (EC Directive) Regulations 2003
- The Data Protection Act 1998
- The Human Rights Act 1998

The Regulation of Investigatory Powers Act 2000 (RIPA) permits a company to lawfully record conversations only to:

- ***Establish facts;***
- ***Ensure regulatory compliance; or***
- ***Demonstrate standards that are achieved or need to be achieved by training***

***Any recording retained must be relevant to that business and only used for that business and all reasonable efforts must be made to inform the parties that the conversation is or was recorded.***

### 4. Equality

DCC is committed to equality of opportunity and valuing diversity in both the provision of services and in its role as a major employer. We believe that everyone has the right to be treated with dignity and respect. We are committed to the elimination of unfair and unlawful discrimination in all our policies, procedures and practises. We are determined to ensure that no member of the public, employee or job applicant receives less favourable treatment on the grounds of their age, child care or other caring responsibilities, disability, gender, HIV status, language, marital status, race, religion, sexuality, membership or non-membership of a trade union, or by any requirement which cannot be shown to be justifiable.

## **5. Data Protection**

This policy is compatible with all requirements under the Data Protection Act 1998.

## **6. Communicating the Call Recording System**

Denbighshire County Council is required to make reasonable efforts to communicate that calls will be monitored and recorded. The Benefits Manager will be responsible for doing this by:

- Putting a notice on the Council's website.
- Sending an e-mail message to all staff and councillors when the service starts
- Including a note on brochures and forms which promote the telephone claiming / changes in circumstance service.
- Adding a notification to the relevant standard letter templates
- Informing partner organisations who may advise individuals on the different claiming channels available.

## **7. Informing the parties that a conversation will be recorded**

The Officer/Assistant taking a telephone claim or change of circumstance will inform the other party at the outset of the call, prior to starting the recording, that the call will be recorded and the reason for doing so. The set dialogue used should cover the following:

'Before continuing with this call I am required to let you know that your call will be recorded. At the end of the call I will read out a declaration and your verbal agreement to this will be recorded as confirmation that the details you have provided are correct'

Any party refusing to take part in a recorded telephone conversation will be unable to take part in the check box signature process of claiming and will be required to use an alternative claiming method.

## **8. Procedures for managing and releasing call recordings**

8.1. The recordings shall be stored securely, with access to the recordings controlled and managed by the Call Recording System Administrators. This will be an allocated member of the ICT team and the Benefits Manager will communicate this to the Revenues and Benefits Teams, and update any changes.

8.2 Access to the recordings is only permitted if the requirement is in relation to fraud detection/investigation or where there is the need to check on the

details stated by the claimant or officer, in cases such as complaints etc. Any access must also be in accordance with the Data Protection Act.

The reason for requesting access must be formally authorised by either the Corporate Fraud Officer, the DWP, Police or the relevant Head of Service who will ensure that the request complies with the Data Protection Act, and requests should include the following details:

- The reason for the request
- Date and time of the call
- Telephone extension used to make/receive the call
- External number involved if known
- Where possible, the names of all parties to the telephone call
- Any other information on the nature of the call

8.3 The Call Recording System Administrator on receiving an approved request for a call recording, will provide a copy of the recording to the relevant officer. Copies of the recordings must be disposed of securely as soon as it is no longer of use for the purpose for which it has been obtained.

8.4 Browsing of recordings for no specific purpose is not acceptable and is an offence in accordance with the Data Protection Act 1998 for which individuals may be prosecuted. Any such incidents may result in the matter being referred to the Head of Service and Human Resources as this is a serious offence.

8.5 The 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.

8.6 Requests for copies of telephone conversations made as Subject Access Requests under the Data Protection Act must be notified to the relevant Council's Data Protection Officer immediately and, subject to assessment, he will request the call recording and arrange for the individual concerned to visit the Council Offices to hear the recording.

8.7 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 relevant Council's Data Protection Officer who will complete the request for a call recording.

8.8 Requests for copies of telephone conversations as part of staff disciplinary processes will only be released with the written agreement of the Council's Head of Human Resources who will consult with the Council's Data Protection Officer before approval is granted.

8.9 Recordings of calls will be securely disposed of after six years in line with Denbighshire County Council's data retention policy. 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.

## **9. Implementation and training**

This policy will be made available to all staff. This will be reinforced with training and management supervision of all staff involved.

## **10. Complaints**

Denbighshire County Council's 'Compliments and Complaints Procedure' (available on the each of the Councils' websites) will be applied in the event of any complaint received about this policy.

## **11. Policy Review**

This policy will be managed and reviewed every year and, from time to time, updates and re-issues will be circulated. However, the policy will be reviewed sooner if a weakness in the policy is highlighted, in the case of new risks, and/or changes in legislation. The Benefits section will be responsible for ensuring that this policy is adhered to and effective.