

Company name	TeacherActive Limited
Policy title	Call recording
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1. Introduction

TeacherActive may record incoming and outgoing calls for quality monitoring, training, and compliance.

This policy outlines TeacherActive's call recording process; the purposes for which calls may be recorded; the framework within which data can be used, stored and retained; and the legislation which all of our practices relating to call recording will comply with.

2. Scope

Any calls made by or to any of our branches or support teams can be recorded. A call can be monitored or retroactively reviewed by an approved member of staff when:

- It forms part of management monitoring to ensure that our expected service standards are being met
- It is required to check compliance with regulatory requirements
- It is required to verify facts during the investigation of complaints, safeguarding or disciplinary issues
- It is used to identify staff training needs and support employee development
- It is used to identify ways to improve our processes and customer service

3. Legal and regulatory compliance

TeacherActive will only collect and process personal data where one or more of the conditions set out in Article 6 of the General Data Protection Regulations (GDPR) & Data Retention requirements. The relevant conditions for TeacherActive to record and monitor phone calls are:

Legitimate Interests (Article 6(1)(f)):

Processing is necessary for the purposes of the legitimate interests pursued by the data controller or a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject

Use of recordings will be strictly limited to the purposes listed within Section 2 of this policy. Any recordings or data observed during monitoring will be treated with absolute confidentiality and used, stored and disposed of in accordance with the requirements of the following legislation:

- Data Protection Act 2018
- General Data Protection Regulations (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

4. Roles, responsibilities and definitions

4.1 External Data Subjects

Persons from outside TeacherActive, whose data may be shared during recorded or monitored phone calls, will be referred to as *external data subjects*

4.2 Data Processors (1)

TeacherActive employees who receive and make recorded phone calls to *external data subjects* will be referred to as both *data processors (1)* (when in reference to their processing of personal data of the *external data subjects*), and:

4.3 Internal Data Subjects

TeacherActive employees who receive and make recorded phone calls to *external data subjects* will be referred to as *internal data subjects* (when in reference to their calls being monitored or retrieved by any persons listed in section 4.4 as a *Data Processor (2)*)

4.3 Data Processors (2)

TeacherActive employees who monitor or retrieve recorded phone calls will be referred to as *data processors (2)*.

For the avoidance of doubt, this activity will be restricted to the following teams or roles:-

- Learning & Development
- Talent Acquisition Team Leader
- Credit Control Team Leader
- Compliance Manager
- Branch Managers
- Area & Regional Managers
- Human Resources Manager
- Any member of the Board of Directors

4.5 Data Controllers

The Board of Directors, who have approved the scope, processes and procedures of this policy, will be referred to as *data controllers*

4.6 Data Protection Officer (DPO)

The Chief Operating Officer, who will ensure that all individuals and departments comply with the regulations and procedures within this policy, will be referred to as the *data protection officer (DPO)*. The *DPO* will also be responsible for managing the response to any breach of this policy.

5. Procedures and guidelines

5.1 Transparency

TeacherActive will make every reasonable effort make *internal and external data subjects* aware that phone calls are being recorded.

This will include:

- When making out-going calls, employees will inform the recipient that call recording is in place
- A recorded message will be received by callers making an inbound call
- This policy is published on our website
- This policy is shared with all new and existing employees

5.2 Monitoring

Call monitoring shall only be undertaken by the *data processors (2)* listed in section 4.3 of this policy. Monitoring shall only be undertaken when it meets one or more of the criteria set out in section 2.

Requests to undertake monitoring must be submitted to and approved by either the *DPO* or a member of the board of directors; this request should include:

- The business justification
- The name of the *internal data subject(s)*
- The telephone extension that will be monitored
- The date(s) and time(s) that the monitoring will take place

A log will be kept of all monitoring requests, and whether these were approved or rejected.

Approved requests will be shared with the IT Services Manager or an authorised delegate, who will set the necessary permissions to allow the approved *data processors (2)* to monitor calls only as agreed within the request.

5.3 Call retrieval

Call retrieval shall only be undertaken by the *data processors (2)* listed in section 4.3 of this policy. Recordings may only be accessed when it is to meet one or more of the criteria set out in section 2.

Requests to retrieve call(s) must be submitted to and approved by the *DPO* or a member of the board of directors; this request should include:

- The business justification
- The name of the *internal data subject(s)*
- The telephone extension that the call(s) were made or received to
- The date(s) and time(s) that the call(s) were made or received

A log will be kept of all call retrieval requests, and whether these were approved or rejected. 'Browsing' of call recordings is prohibited.

Approved requests will be shared with the IT Services Manager or an authorised delegate, who will retrieve and share the call(s) only as agreed within the request with the *data processor (2)*.

5.4 Call storage and retention

Call recordings shall be securely stored on TeacherActive's PBX server which utilises enhanced security measures to maintain confidentiality and remain compliant with industry standards, ensuring the protection of sensitive business data and that communications remain secure.

Access to TeacherActive's PBX server is restricted to the IT Services Manager and authorised delegates, and recordings will only be obtained by the IT team upon written authorisation from the *DPO* or a member of the board of Directors.

All recordings will automatically be held on TeacherActive's PBX server for **90 days**. If there is a justified need to retain a specific recording for a longer period, then a request to do so must be made to the *DPO* no less than 14 days prior to the recordings automatic deletion date. This request must include:

- The business justification
- The name of the *internal data subject(s)*
- The telephone extension that the call(s) were made or received to
- The date(s) and time(s) that the call(s) were made or received
- How long the recording will be retained for

A log will be kept of all requests to extend retention, and whether these were approved or rejected.

6. Confidentiality and commitment

Personal data collected ("processed") in the course of recording activities will be processed fairly and lawfully in accordance with the Data Protection Act 2018. It will be:

- Adequate, relevant and not excessive
- Used for the purpose(s) stated in this policy only
- Accessible only to authorised managers for training purposes and investigations
- Treated confidentially
- Stored securely
- Not kept for longer than necessary

Data Protection legislation 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 *DPO* to retrieve information relating to one or more individuals as easily as possible. Requests from individuals for access to their data within call recordings will be processed in line with our Subject Access Request Process (please refer to our Privacy Notice and Data Protection Policy).

7. Non-compliance

Deviations from the procedures laid out in this document, or actions that result in any breach in data protection, will be investigated on a case-by-case basis by the *DPO*, and may result in disciplinary proceedings if the breach was found to be wilfully caused.

All breaches will be recorded along with the result of any subsequent investigation. In the unlikely event that a personal data breach occurs which results in a high level of risk to the rights and freedom of any internal or external individuals, TeacherActive shall notify the individual in line with our Data Protection Policy.

8. Review and revision

This document shall be reviewed either annually, or sooner in the event of any process or system changes, or any data breaches that occur as a result of call recording. A record of these reviews can be found on the final page of this policy.

9. Document history

[illegible]