01 November 2018

Re: Request for information under the Freedom of Information Act 2000

Thank you for your email, dated 6 October 2018 making a request under the Freedom of Information Act 2000 for access to information which may be held by NHS Greater Preston Clinical Commissioning Group (CCG).

Please find detailed below NHS Greater Preston CCG’s response to your request, which is formatted as follows:-

1. Details of NHS Greater Preston CCG’s decision in regard to the information requested.
2. A schedule of all the records covered by your request.
3. A statement concerning copyright and re-use of public sector information.
4. Details of how you can appeal this decision should you wish to do so.

This letter addresses each of these parts in turn:-

1. Decision

I can confirm that NHS Greater Preston CCG holds the information requested.

2. Schedule of records/FOI response

1. Do you have any guidance or policy for the public or service users to record calls when they speak to your staff or call centres Do you Inform Users they can record? If the answer is no what is the reason for this please if so do send me a copy.

No. NHS Greater Preston CCG does not have a policy relating to this. We do not routinely record all incoming or outgoing calls. There are dedicated telephone numbers allocated to our customer care service, which has a call recording facility. Calls to, and from those numbers are recorded for training, quality and monitoring purpose. This is communicated on the CCG website https://www.greaterprestonccg.nhs.uk/how-to-make-a-complaint and within the customer care leaflet (attached).

2. if You have a Unacceptable Behaviour Policy and Procedure can you tell me if one of these are to object to telephone calls being recorded by the caller due to
it being not necessary or unwanted or indeed the staff member feels threatened can you explain why you would have such Unacceptable Behaviour Policy and Procedure that goes against current uk law. If there is no policy why not or how do I find out why?

The CCG has a suite of human resources policies that relate to unacceptable behaviour in the context of terms and conditions of staff members’ employment contracts. None of these relate to the recording of calls from or to members of the public. As the CCG does not encourage or discourage the recording of calls by members of the public, a policy is not required.

In respect of threats or harassment, the CCG holds a ‘harassment and bullying at work’ policy, the principles of which would be applied to any situation involving members of the public. In addition, protection of CCG staff from vexatious complaints has been written into our ‘customer care policy’, available on the CCG website: https://www.greaterprestonccg.nhs.uk/how-to-make-a-complaint

The NHS operates a zero tolerance policy.

3. Are your staff the majority of them who answer public calls or when meeting a member of public are staff aware of the policies and the laws ref telephone recordings using the relevant laws laid down by legislation. If the answer is no why not. This sort of training awareness is needed as most call centres social workers teachers police members of parliament are not aware recordings are aloud will you highlight the public is ok to record a 2 way call or will you let the confusion continue..

The customer care service telephone lines have a call recording facility. The customer care team who use these telephone lines are trained in call handling and are fully aware of NHS complaints regulations and data protection legislation. In addition, all staff undertake annual mandatory information governance training. All new starters to the CCG also undertake this mandatory training.

4. If you have no policy advice or framework for the above will you develop a policy etc if there is a policy send me one pls?

Please refer to the response to the previous questions.

Will you encourage the public to record a 2 way conversation if the answer is no why not

The CCG neither encourages nor discourages the recording of calls by members of the public.
5. **What are your organizations views on charging the public in foi requests and data protection and subject access requests should their information request be free.**

The CCG provides free access to information, through framework of the Freedom of Information (FOI) Act (2000). In some instances a fee may be levied. This is outlined within the CCG’s FOI policy that is available on the CCG’s website: [https://www.greaterprestonccg.nhs.uk/how-to-make-a-freedom-of-information-request](https://www.greaterprestonccg.nhs.uk/how-to-make-a-freedom-of-information-request).

The CCG does not charge for subject access requests.

**What happens in a situation a benefit claimant or non waged person needs information what do you do to help them or someone who has no spare income.**

The CCG does not charge for requests for information made under the FOI Act, or subject access requests.

**Is it fair if the public record you then they should charge you for a copy of the recording or video the same fee you charge them.**

The CCG neither encourages nor discourages the recording of calls by members of the public.

**Any tips and comments will help the public understand the uks public servants and business policies ref this subject.**

NHS Greater Preston CCG’s policies and procedures are regularly reviewed and ratified. The suite of policies is holds are in accordance with statutory, legal and regulatory duties. The policies are available on the CCG website: [https://www.greaterprestonccg.nhs.uk/plans-publications-and-policies](https://www.greaterprestonccg.nhs.uk/plans-publications-and-policies)

6. **What do you do and what is your policy when a serious complaint against a staff member is made when a person complains about wrong doing and has evidence of foul play in your organization will you accept covertly or permission based Audio or video evidence in the case.**

Please refer to our customer care and complaints policy that is available on the CCG website: [https://www.greaterprestonccg.nhs.uk/how-to-make-a-complaint](https://www.greaterprestonccg.nhs.uk/how-to-make-a-complaint)

**Do you Fully investigate under public interest laws and take note of any criminal charges. if the answer is no why not. Do send me a copy of the policy.**

Please refer to our customer care and complaints policy as above.

3. **Copy and reuse of public sector information provided in FOI response**
Most of the information provided by NHS Greater Preston CCG in response to Freedom of Information Act 2000 requests will be subject to copyright protection. In the majority of cases the information will be owned by NHS Greater Preston CCG. The copyright for other information may be owned by another person or organisation, as indicated in the information itself: in this case you must apply to the copyright owner to obtain their permission.

You are free to use any information supplied for your own use, including for non-commercial research purposes. It may also be used for the purposes of news reporting. However, any other type of re-use, for example, by publishing the information or issuing copies to the public will require the permission of the copyright owner.

4. Right of appeal to FOI response

If you are dissatisfied with the service you have received in relation to your request and wish to make a complaint or request a review of our decision, you are entitled to complain in the following way:

Initially you should complain in writing to the freedom of information officer, either by email on gpccg.foi@nhs.net or post to Chorley House, Lancashire Business Park, Leyland, PR26 6TT, specifying why you feel you have been wrongly denied access to the information requested. The freedom of information officer will ensure your complaint is investigated under NHS Greater Preston CCG’s internal processes and provide you with a written response within 20 working days.

If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner’s Office (ICO) for a decision. Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided by NHS Greater Preston CCG.

Yours sincerely

Helen Curtis
FOI Lead
Head of Quality and Performance