



Derry City & Strabane
District Council
Comhairle
Chathair Dhoire &
Cheantar an tSraitha Báin
Derry Cittie & Strabane
Destrack Cooncil

Ref: FOI / 2121

07 November 2018

Mr
Researcher
Freedom Talk Radio

Email: freedomtalkradio2013@gmail.com

Dear Mr

Freedom of Information Act 2000 Request General Public audio-visually record meetings Council staff

I refer to your FOI request and respond as follows:

- 1 Do you have any guidance or policy for the public or service users to record calls when they speak to your staff.
Response. No
2. What is your organisations protocol on service users recording calls when they speak to your staff? Please provide a copy of your policy, procedure and guideline notes on this issue.
Response: As (1) above, Derry City and Strabane District Council has no policy. In order to comply with its obligations under the terms of Section 17 of the FOI Act Council hereby gives notice that this information is not held.
3. 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.
Response: As(1) above. The council does not inform people they can record conversations as people would need to take their own advice about the data protection obligations they may become subject to if they were to do this.
4. Are service users made aware of their right to record the encounter, if they choose to do so? Is this reflected in you policy document on the matter?
Response: As (3) above.

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Strabane

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5. Does your organisation have an “Unacceptable Behaviour” policy? If so, please can you provide me with a copy?

Response: Please see attached.

- (a) If such a policy contains points of objectionable behaviour such as telephones calls being recorded by the caller due to them being not necessary or unwanted or needed, and furthermore the staff members may feel threatened or apprehensive, are you aware that denying users the right to record calls goes against the current UK laws.

Response: Derry City and Strabane District Council can only answer questions on recorded information the organisation holds under the Freedom of Information Act. Council does not regard this as being a valid question under the legislation.

6. Are your policies and procedures compliant with the public right to audio-visually record encounters with your staff, without their consent? If not, will you provide appropriate training for your staff so they are fully informed of the Public right to record?

Response: As (1-3) above.

7. What is our organisations current charging policy for Freedom of Information requests (FOI) or Subject Access Requests (SAR)? –

Response: Please see link.

<http://www.derrystrabane.com/Council/Freedom-of-Information>

- (a) If charges are applied are concessions available for those on low income or students?

Response: Case by case examined on merit.

8. What is your organisations complaints policy? Please can you forward me a copy.

Response: Please see link. <http://www.derrystrabane.com/Council/Customer-Service>

- (a) Does your complaints procedure permit service users evidence such as covert call recordings to form part of the investigation.

Response: There is no reference to calls being recorded. This information is therefore not held by Council. However, I can advise that Council considers information provided to support the bringing of or response to a complaint on a case by case basis.

I would inform you this information is being supplied under the Re-Use of Public Sector Information Regulations 2015. Individuals are free to use any information supplied, where the Council is the copyright owner of the information, for their own

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If you are dissatisfied with our response you have rights of review and appeal; these rights consist of two review processes. Firstly our internal review procedure is available by contacting:

John Kelpie
Chief Executive
Derry City and Strabane District Council
98 Strand Road
Derry BT48 7NN Tel 028 71253253 or email john.kelpie@derrystrabane.com

Secondly, you can appeal directly by contacting the Information Commissioner at:

Information Commissioner
Wycliffe House
Water Lane
Wilmslow
CHESHIRE SK9 5AF Tel: 0303 123 1113 (local rate) or email: casework@ico.org.uk

I would advise however, the Information Commissioner has indicated that a review will not be undertaken unless the Council has first had an opportunity to re-consider its decision.

Yours sincerely

Information & Customer Services Officer

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