

Recording Employees Telephone Conversations

Can I record my employees telephone conversations?

Yes. This is a well established business practice, but only if done in a correct and ethical manner.

The legality of recording telephone conversations is considered here from the employee and employer perspectives in the work place.

The legality of recording an employee's private call is somewhat different from the issues concerned with what an employee says to a customer.

The legality of phone taps is different in each of these situations and could be considered surveillance if the employee cannot make a private call from work that is not recorded.

At the request of the Home Office in 1999, Ofcom published new guidance to companies covering their responsibilities over recording phone calls for business purposes:

- Companies and organisations that routinely record telephone calls must ensure that their employees are able to make personal calls that are not also recorded under the same system.
- Staff must also be made aware that personal conversations could be recorded on their telephone and must have access to a separate telephone on the premises where they can make and receive personal calls that are not recorded.
- Companies that do not provide this guarantee of confidentiality could be in breach of Article 8 of the European Convention on Human Rights, which covers people's right to privacy.
- While as accurate as possible and given in good faith Telephone Recorders Direct cannot accept any liability for reliance by any person on legal information that we pass on.

To find out your legal position:

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