

## Policy for recording educational activities 2018-2019

### Background

1. This document sets out the University's policy on the recording of educational activities. Educational activities may include lectures, laboratory demonstrations, presentations or other academic teaching and student assessments.
2. The use of mobile devices, multimedia management capabilities, lecture capture technology, social media and online learning platforms are transforming the potential use of audio and video recordings for educational purposes.
3. Recording of educational activities is becoming an expectation for many students and is becoming widespread across national and international higher education.
4. There are considerable educational benefits to recording for educational purposes, including:
  - Flexible learning – anytime and anywhere access to learning materials, at the student's own pace;
  - Multi-modal learning – providing learning materials in multiple formats to suit individual learning preferences;
  - Deep learning – ability to evaluate and contextualise learning materials over time
  - Innovations in pedagogy - for example the use of recorded material for viewing in advance of lectures to create space for more interaction within lectures;
  - Accessibility – particularly useful for students with special educational needs or whose first language is not English;
  - Practicality – ability to pause, repeat and/or revisit complex learning materials to increase understanding.
5. Recordings are an important part of the University's strategy to enhance the quality of the student experience and the University anticipates it becoming as normal as providing handouts or slides. The technology has multiple possible uses, such as short recordings for students to watch before seminars, recordings to help students on option choices and capturing events and lectures.
6. The University has conducted a successful pilot of lecture capture and recordings of students for assessment.
7. The University recognises and acknowledges that:
  - Not all teaching styles are suitable for capture, e.g. where there is use of whiteboards, chalk boards etc. or if there is a high degree of student participation;
  - Recording is not intended to replace student contact time and is provided to enrich the student experience;

- A requirement for staff to change their preferred teaching style for the purpose of recording may be detrimental to the student experience and is not encouraged.

### **Recording and Opt-out**

8. Where University supported recording facilities are available, automated recording technology will (subject to paragraph 9 below) automatically record all lectures (including anything displayed on the projector) and make these recordings available to all students registered on the unit.
9. If a lecturer feels his/her entire units may not be suitable for recording he/she is encouraged to engage in discussion with the Head of School or his/her nominee to establish whether any of the opt out reasons as set out below pertain. If it is established that his/her entire unit is not suitable for recording the unit will not be scheduled for recording. If the University has an overriding legal obligation to provide a recording (e.g. a student with a disability needs to make a recording as part of the 'reasonable adjustment' process), opt out will not be permitted.

Opt out of a unit will be appropriate if a large proportion of the unit's lectures

- contains confidential or personal information;
- is commercially or politically sensitive;
- includes such a degree of interaction with students that recording is not viable; or
- is delivered in a way that makes recording unsuitable, eg extensive use of whiteboard or chalk board.

There may be other valid reasons why opt out may be appropriate. These should be discussed with the Head of School or his/her nominee.

If part or the whole of an individual lecture is not suitable for recording as indicated above, a lecturer may manually stop a recording at the start or at any other point of his/her lecture or edit out the relevant sections before the lecture is made available to students (see Section 13 below).

However, until further notice, lecturers may opt out for any good reason (except where the University has an overriding legal obligation to provide a recording) provided that they notify the Mediasite Project Team and their Head of School of their reasons for opting out. The Mediasite Project Team will monitor the reasons given by lecturers for opt out and the University will review the proposed opt out policy in the light of the experience gained.

10. Except for the purposes of student assessment, any student not wishing to be recorded should notify the lecturer at the start of the lecture.
11. Video recording will only be available to staff on request and is subject to availability.

### **Recording Notice**

12. Staff and students will be informed in advance if the University intends to record educational activities. Reminders will appear in the form of notices in the rooms in which recording will take place. There will be a final reminder in the form of a red light on the lectern indicating the recording has commenced.

## **Editing**

13. Lecturers will have the opportunity to review, edit and approve a recording for a period of two working days before the recording is made available to students via Blackboard. Separate arrangements will be made for part time staff. If the lecturer does not review edit and approve the recording within that time period the relevant recording will automatically be made available to the students, unedited. However, where there is good reason, the lecturer may recall a recording once published and edit it at a later date.

## **Safe Keeping**

- 14 All recordings will be password protected and accessible via Blackboard. The recordings will only be accessible by students registered on the relevant unit or University staff who have authorised access, such as unit heads and system administrators.
- 15 Recordings will normally be made available to students for the duration of their programme of study.
- 16 Unless the lecturer agrees or requests otherwise (eg. for the purposes of peer review) the recordings will only be used by the University for educational purposes and not for any performance management purposes.
- 17 Subject to paragraph 14, unless a staff member obtains the University's prior written agreement or the University obtains the staff member's written agreement, recordings may not be made publicly available by any means, including by virtue of external publication, whether on the web or otherwise.

## **Reasonable Adjustments**

18. As with other services reasonable adjustments will be made for disabled students including but not limited to the provision of subtitling.

## **Take down**

19. If a member of staff becomes aware that any defamatory, inaccurate or infringing material is included within a recording or any other reason why it would be expedient for the University to recall a recording, they must contact the University Technology Enhanced Learning (TEL) Team immediately.

## **Consent and Data Protection**

20. Subject to the right to opt out set out in paragraphs 9 and 10, staff and students are deemed to consent to (i) the University recording and making the recordings available in accordance with this Policy and the staff and students grant the University an irrevocable licence to use their rights in any performance for the purposes set out in this Policy; and (ii) the processing of personal data in accordance with the University's Data Protection Policy.

21. Recordings of ‘sensitive personal data’ require the express consent of the staff or students being recorded. A consent form is available on the University website. Sensitive personal data means data that is identifiable and contains any of the following information: racial or ethnic origin, political opinions, religious or other similar beliefs, trade union membership, physical or mental health, sexual life or the alleged commission of a criminal offence.

### **Intellectual Property**

22. In accordance with the University contract of employment the University will own all rights in any recordings (including rights in the sounds made). This does not include performance rights which the staff and students will continue to own but in respect of which they have granted a licence to the University under paragraph 20 above.
23. The University will endeavour to acknowledge the lecturer as the author and performer of the recording. To the fullest extent permitted by law all other rights of the lecturer in the recordings are waived.
24. Staff must comply at all times with copyright legislation relating to their lectures and educational activities. Staff are encouraged to make use of creative commons content in their lectures wherever practicable.

### **Visitors**

25. Express (opt-in) consent is required for the recording of external visitors speaking at events and a consent form must be completed. This includes the recording of sensitive data when notice of recording is not sufficient; express consent to be recorded is required from all those involved in recordings.

### **Student Assessment**

26. The University may make recordings of students for the purposes of assessment. Paragraphs 13 to 15 inclusive of this Policy will not apply to any such recordings.

### **Student Recording of Lectures**

27. The University may allow students to record lectures, lab demonstrations, presentations or other academic teaching.
28. The School will inform students if they do not have permission to record lectures, presentations or lab demonstrations.
29. Unless students need to do so for any disability related reasons students may not record:
  - (i) any seminars or tutorials; or
  - (ii) any events where members of the public are present or in which fellow students actively participate

without obtaining the prior consent of the lecturer at the beginning of each such seminar, tutorial or event. This is because recording the seminar or tutorial may well also capture identifiable students and/or members of the public and they would each need to give their consent to their being recorded.

- 30 Any recording made by a student must only be used as a personal aid for study purposes. Students may not share, publish or otherwise make the recording available in whole or in part to any other person. Students must delete the recording as soon as they cease to be a student of the University.
- 31 Recording devices must be kept with the student at all times and may not be placed on the lectern/lab table unless required for any disability related reasons.
- 32 If the University supplies or makes recordings of lectures or other academic teaching available to students:
  - (i) the University will own the copyright and all other intellectual property rights in the recordings; and
  - (ii) the recordings must only be used by the student as a personal aid for study purposes. The student may not share, publish or otherwise make the recording available in whole or in part to any other person.
33. Students must delete the recording as soon as they cease to be a student of the University.

### **Further information**

For any queries relating to Data Protection please contact the Information Governance Manager at [data-protection@bristol.ac.uk](mailto:data-protection@bristol.ac.uk)

For any queries relating to Learning and Teaching please contact TEL at <http://www.bristol.ac.uk/tel/>.

For more information about the Mediasite Project please contact the team at [mediasiteteam@bristol.ac.uk](mailto:mediasiteteam@bristol.ac.uk)

### **Key Reference Documents**

#### **Legal**

- An overview of the legal position in relation to the recording of educational activities can be found in the JISC Legal Guidance Document:  
<http://www.jisclegal.ac.uk/Portals/12/Documents/PDFs/Recording%20Lectures.pdf>
- More information about copyright at the University can be found at:  
<http://www.bristol.ac.uk/library/using/printing/copyright.html>

## **Accessibility**

- More information about the University's obligations can be found at:  
<http://www.bristol.ac.uk/disability-services/staff-professionals/guidance/> and  
<http://www.bristol.ac.uk/style-guides/web/policies/>

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