

**Title: Policy on Lecture Capture for Education Purposes**

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## **1 Scope**

- 1.1 This policy sets out the University's policy for lecture capture for educational purposes. The policy will be regularly reviewed by the University's Learning and Teaching Committee.
- 1.2 For the purpose of this Policy lecture capture is defined as 'the live recording of a taught session to create a resource that can be used for education purposes'. The recording can be any audio or visual with audio recording which is captured by either the University's lecture capture system, by other software such as Blackboard Collaborate or Teams or the recordings made by students on their personal devices. The Policy is university wide and applies to all staff who teach, including associate tutors, guest lecturers, and all students including visiting students.
- 1.3 This Policy is intended to ensure that:
  - Key issues around the recording, storage, distribution, ownership and destruction of lecture capture material are understood;
  - Staff and students are aware of other participants' rights and obligations which arise when a teaching session is recorded and distributed; and
  - Staff are aware that this is an opt-out policy for lectures which will be scheduled to record automatically using the UEA lecture capture software, but remains opt-in for seminars and other highly interactive sessions.
  - Staff are aware that lectures can still be paused or stopped during a scheduled session to allow for selective recording.
  - Staff are aware that the policy also relates to other recording software such as Blackboard Collaborate or Teams.
- 1.4 This Policy should be read in conjunction with the following University policies:
  - Blended Learning Policy;
  - Inclusive Education Policy;
  - Peer Observation Policy;
  - Intellectual Property Regulations; and
  - Data Protection Policy.

All these policies can be found on the [University Policies](#) page.

## 2 Introduction

- 2.1 Recording education activity and developing multimedia learning resources is an important part of the University vision. The University's vision states a commitment to keep pace with technological change and to enhance the student experience to quote: "Technology has opened up a new world of education. We'll continue to pioneer and embrace new educational technologies and develop a campus that supports technology-enhanced learning. We'll blend active learning classrooms with the best in online, virtual and face-to-face learning to equip our students with the skills they need to lead the way in the digital age". With regards to UEA values 'empowering' students to engage with a range of accessible recorded material is an inclusive approach.
- 2.2 The University is committed to providing the best learning experience it can to its students, use of audio and video capture recording is very extensive across the HE sector, offering many educational benefits:
- **Flexibility**-anytime and anywhere access, students who are unable to attend through e.g. ill health or caring responsibilities can catch up with missed content;
  - **Pedagogy**-contextualise material over time, which will allow students to make connections between the content within and between modules. Resources can be built to facilitate an active learning approach and other types of blended learning;
  - **Review**-act as a study aid and enables students to return to material and get to grips with difficult concepts. Useful for revision; and
  - **Accessibility**-material becomes more accessible for disabled students and also students for whom English is an additional language.
- 2.3 Under the Equality Act (2010) the University has a legal obligation to provide reasonable adjustments to disabled students. Lecture captures can help to continue to meet this obligation as an anticipatory adjustment, and one which benefits all students as an inclusive practice.

## 3 Recordings

- 3.1 Recorded content directly related to taught material will only be made available to students registered at the University and access levels will mirror those already set up in the Blackboard VLE. Each faculty can decide whether to restrict access to module, course or faculty or school level. Lectures can be distributed more widely providing that consent has been obtained by the lecturer using the approved form.
- 3.2 Learning material which is recorded will not be used for monitoring staff performance, or issues around capability. However, staff can choose to use captured material as part of the peer observation process or evidence for promotion. For example, where content has been captured which makes use of active learning tools, such as quizzes and polls.

- 3.3 Students cannot use recorded materials or transcripts as evidence in academic appeals or academic complaints. However, a student may complain about the content of the material if they believe it to be defamatory, inaccurate or infringing copyright, See section 5.
- 3.4 The University recognises that not all teaching events will be suitable for recording, e.g. where there are high levels of student interactivity, where material and discussions can be sensitive, where there are also ethical issues recording would not be suitable. In addition, this could include issues of copyright materials, unpublished research, commercially sensitive information, personal data or situations where the lecturer has a recognised disability that prevents them from recording lectures. There is no expectation that all teaching activity will be recorded. This policy also allows for selective recording where only parts of sessions are recorded, lecture recordings can be paused or stopped where necessary. Staff can opt-out of lecture recording using the process outlined in the Frequently Asked Questions (FAQ) document which accompanies this policy. The content of lecture recordings is to be treated as confidential business information.

If a staff member wishes to record a session which may contain sensitive information imparted by students then they should ensure that students have completed the agreement task on SITS. This is a task which students complete on registration.

Staff have specific responsibilities towards using and managing lecture capture materials. See section 7.2 for details.

- 3.5 With reference to the Inclusive Education Policy around student recording for Apprentices, Undergraduate Students and Postgraduate Taught students, staff should assume that their sessions, including lectures and other teaching events, will include students who are making personal recordings. It is recommended that staff initiate an open discussion around this (e.g. at the start of a module) so that all students are aware of the University's approach to both lecture capture and personal audio recordings so that directions are clear around which material can be recorded by whom and with which permission mechanism (Part 3 Inclusive Pedagogy of the Inclusive Education Policy).

If sensitive information is shared in a session, e.g. health information of clients, students may be asked by staff to stop recording for that portion of the session. Staff must clearly direct students when to stop recording and when they may start again. In an exceptional minority of cases, some disabled students may have a Reasonable Adjustment to record sensitive information if it is the only viable way for them to access the material.

Students have specific responsibilities towards using and managing recorded materials (section 7.3).

- 3.6 This Policy does not restrict innovative ways of teaching; academic staff will still be able to choose their own teaching style.
- 3.7 Recording will not be used to replace staff presence, e.g. during or to mitigate strike action unless the lecturer permits this or in circumstances where the university is required to stop face-to-face teaching due to global issues e.g. a pandemic crisis. In cases where the curriculum is being designed to encompass changes to the way in which lectures are delivered then these changes must be approved by the relevant teaching committee.
- 3.8 Students should not see recording as an alternative to attending a lecture, unless the university is required to stop face-to-face teaching due to global issues. Support will be provided for students to get the best learning experience out of recordings.
- 3.9 Staff can edit their recordings if they wish to do so. Staff can also delete recordings. Recordings need not be edited unless a request has been made and is deemed appropriate. It is acknowledged that editing of content does take time and this should be part of workload allocation models. Staff will be provided with training for editing content. If automated release is not used, then students should be informed when they can reasonably expect a recording to be made available.
- 3.10 New regulations on the accessibility of websites and mobile application came into force in 2018, namely the Public Sector Bodies (Websites and Mobile Applications) Accessibility Regulations which align to the Web Content Accessibility Guidelines (WCAG) 2.2AA standard. UEA's Inclusive Education Policy highlights the importance of accessibility of digital resources, thus we must consider the use of transcriptions and closed captions for captured video content wherever possible.

#### **4 Opting out of recording**

- 4.1 The ability of the University to record video and/or audio recordings of lectures and for re-use of the recordings for educational purposes is provided for in this Policy.
- 4.2 Staff opt-out of lecture recordings. Permission to opt-out is not required. All **lectures** will be scheduled to record automatically and automatically released after 24 hours. To opt-out a staff member can either stop the recording from the PC lectern or make the recording unavailable to students. Seminars and workshops will not be scheduled to record automatically unless requested by the lecturer. A lecturer can decide to record some sessions and not others or to record part of sessions. The university may ask staff to increase their use of recordings if there are global issues (such as those experienced during the pandemic) which pose a challenge to face-to-face teaching.
- 4.3 Anonymised data on system usage may be requested by LTC or CTCL for monitoring purposes.

- 4.4 Where a recording is made which includes students delivering (e.g. student presentations), and where the delivery is not linked to summative assessment, the students will be informed how their personal data will be used and where required provide their agreement, records of which will be kept by the University as required by the UK GDPR.
- 4.5 Students can opt out of recording, or ask that material is edited where it is not required for summative work. The request has to be made as soon as possible after the recording is completed. Requests from students to have contributions removed should only be acted on if the student is either identifiable in the recording or where they can accurately describe their contribution and how far into the lecture it occurred.
- 4.6 Students cannot opt out when a recording is part of an assessed summative item of work however they will still be informed how their data will be used and material recorded for summative work will not be made available beyond the assessors of the work. It should be noted that external examiners may have access to recordings but only from within the UEA digital environment (Blackboard).
- 4.7 Guest speakers delivering open lectures which are intended to be made public will sign a speaker release form and we will seek consent to the use of their data.

## **5 Data management**

- 5.1 Any recordings, audio and or visual may contain personal data, therefore data collected in association with recordings will be managed in line with the Data protection Act 2018 and UK General Data Protection Regulation.
- 5.2 The university is a 'data controller' for any personal data processed during lecture capture.
- 5.3 A Data Protection Impact Assessment has been completed and relevant [privacy notices](#) drafted or updated.
- 5.4 All data used in relation to lecture capture will follow the universities information classification and data management policy.
- 5.5 Captured material will be linked from the cloud management system to a specific site on the VLE.
- 5.6 The data will be kept for two years after the end of the academic year in which it was made in accordance with the [UEA media retention standards](#) before being removed from the cloud management system. This is the sector norm.
- 5.7 When staff leave, their recordings will be deleted. Deletion will occur two years after the end of the academic year in which it was made.
- 5.8 If a member of staff or a student believes that the content contains defamatory, inaccurate or infringing material, this should be raised with the academic who

delivered the teaching, so that the content can either be edited or the recording removed. If this approach is unsuccessful, then they should raise their concerns with their Head of School. If the matter is not resolved to the student's satisfaction then they may make use of the non-academic complaint process.

## **6 Intellectual Property**

- 6.1 The UEA IP Regulations cover the status of intellectual property generated by the University's staff (section 4) and taught students (section 6). For the avoidance of doubt, transcription and or closed captions of a lecture recording in accordance with 3.10 fall under the definition of Course Materials in the UEA IP Regulations. Where the University and employee have agreed that the employee retains some or all of the intellectual property rights to material used within a lecture recording, the employee agrees, by way of not opting-out, to grant the University a non-exclusive licence to use materials for the essential purpose in this policy for the duration set out in 5.6.
- 6.2 Performer rights, if any, reside with the lecturer and other lecture participants, who agree to the recording of the lecture and agree that the University may use their performance rights for the essential purpose of this policy for the duration set out in 5.6. Lecturers wishing to assert their right to be identified as author or performer should do so as part of the recording, for example on an introduction slide or at the beginning of an audio recording.
- 6.3 All staff must comply with copyright legislation relating to the content of their lectures and in order to avoid the infringement of third party intellectual property rights ensure that appropriate copyright permission has been obtained for the use of materials in the lecture. Further guidance relating to the use of third party material can be obtained from the University's Information Compliance team.
- 6.4 The lecturer must ensure that consent via the agreed [release form](#) is obtained from any external visitors participating in a live or pre-recorded teaching session.

## **7 Responsibilities**

- 7.1 The University is responsible for;
- maintaining the equipment;
  - ensuring that where the equipment is installed, updated and accessible to all staff;
  - ensuring that the opt-out scheduling service is run and monitored in accordance with this policy
  - ensure the ongoing data flow from the timetable software;
  - ensuring this policy remains current;
  - ensuring that appropriate staff training and time is provided to use the equipment safely and effectively
  - managing student expectations around recording of material; and

- prioritising and protecting staff and students' wellbeing in the event of any misuse of the equipment.
- the risk relating to institutional lecture capture

7.2 Individual staff members are responsible for;

- ensuring they are trained on the lecture capture system if they intend to use the software to initiate their own recording or to opt-out;
- ensuring they know how to opt-out of scheduled lecture recording;
- ensuring that students are aware of when a teaching session is being recorded;
- ensuring that students are aware if a lecture is not going to be recorded or made available;
- ensuring that consent is obtained from any external visitors partaking in a live or pre-recorded teaching session through the signing of the [release form](#) for video and audio recording;
- awareness of IP, data protection and ensuring that they do not infringe copyright;
- ensuring that recordings are edited/deleted, if needed;
- taking down material if an issue has been raised with copyright or inappropriate material; and
- ensuring that content is accessible in line with UEA's Inclusive Education Policy.

7.3 Individual students are responsible for;

- engaging with recordings in an appropriate manner;
- ensuring that recordings are for personal education use and not shared with a third party;
- ensuring that material recorded through personal devices is curated appropriately, not shared with a third party and kept only for the duration of the taught programme, after which the files are destroyed; and
- ensuring that transcriptions which are downloaded as part of recorded content are not shared with a third party and kept only for the duration of the taught programme, after which the files are destroyed.

7.4 Module organisers are responsible for:

- ensuring that a discussion has taken place with the teaching team concerning the opt-out process as well as the benefits and limitations of teaching session recordings; and
- explaining teaching recording to guest lecturers and ensuring written consent using the agreed release form.

7.5 School Directors of Teaching and Learning are responsible for ensuring that students know how to make the most of recordings through appropriate events during 'Welcome Week' or 'Welcome Back' or as part of skills based modules.

## 8 Failure of the technology

- 8.1 The university recognises that technology can fail. Performance of the system will be monitored and systems in place to maintain effectiveness. Students' expectations will be managed, and they will be made aware that some recordings may not happen, and they should not rely on them being available at all times. Lecturers will not be responsible for or required to comply with the policy where the failure to record is due to technology or scheduling failing.
- 8.2 Staff will not be required to re-record lectures due to technology or scheduling failure.