

The Recording of Teaching and Learning Sessions

UPR TL04 version 03.0

Policies superseded by this document

This document replaces version 02.0 of UPR TL04, with effect from 1 September 2023.

Summary of significant changes to the previous version

This document has been amended to include the provision of hybrid teaching and learning activities.

Glossary

A glossary of approved University terminology can be found in [UPR GV08](#).

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1 Introduction

- 1.1 The following regulations on the recording of teaching and learning sessions applies to all students and staff involved in teaching and learning. The regulations set out the conditions under which recordings may be made and sets out staff and student responsibilities to ensure that the University meets its obligations under equality, copyright and data protection legislation.

The regulations are divided into university recordings and pre-recorded teaching and learning materials and recordings (paragraph 2), student recordings (paragraph 3).

1.2 Definitions

For the purposes of this document, the following definitions will apply:

i **'teaching and learning session':**

refers to pre-recorded resources, timetabled online synchronous and campus based sessions, including lectures, tutorials, seminars, student-led presentations, laboratory demonstrations, practicals and learning activities that are outside the taught curricula, and hybrid versions of these sessions.

ii **'hybrid':** refers to a teaching and learning activity

a that is live and simultaneous with students joining on-campus and online at the same time, which is intended to be fully interactive with students contributing regardless of whether they are in person or remote; or

b that is scheduled more than once within a set period with different groups of students allocated to each occurrence; and where one occurrence is scheduled as live, synchronous time on-campus and another occurrence is live, synchronous, but scheduled purely online; and where the students can be allocated to an occurrence of the activity according to preference or need.

iii **'staff':**

refers to any University staff member or research student (including fractional appointments and visiting lecturers) who undertake teaching or facilitated learning activities.

iv **'recording':**

refers to the digital capture of teaching sessions, whether on campus, online, or hybrid, through University recordings of teaching and learning sessions (including audio, still photography, video and other digital inputs e.g. from a projector screen) and the audio recording of teaching and learning sessions or still photography of material resources by students.

2 University recordings of teaching and learning sessions

2.1 University recordings occur where either (i) a member of staff records their teaching session or learning activity or (ii) where University supported recording facilities are available in a teaching room and automated recording technology records all teaching and learning sessions taking place in the room. Subject to paragraph 2.2 below, in either of these circumstances, these recordings will normally be made available on the relevant module website.

2.2 Recording and opt-out

- i The Dean of School (or nominee) may decide that specific teaching and learning sessions are not suitable for recording. Reasons may include (but are not limited to), that the session:
 - a contains confidential or personal information;
 - b is commercially or politically sensitive;
 - c includes such a degree of interaction with students that recording is not viable;
 - d other than for assessment purposes, requires a student to make a significant contribution and the student has asked for recordings not to be made; or
 - e is delivered by a visitor to the University who has not expressly given their consent to be recorded.

- ii If a member of staff considers that some or all their teaching sessions or learning activities are not suitable for recording, they should discuss the matter with the Dean of School (or nominee) who will decide whether the proposed reasons for not recording the teaching and learning session are valid. However, if only part of an individual teaching and learning session is not suitable for recording, a member of staff should, where appropriate, pause the recording or edit out the relevant sections before the teaching and learning session is made available to students.

2.3 Recording notice

For campus-based sessions, notices in rooms in which automated recording technology is available will remind students that a recording is taking place. A verbal reminder indicating when the recording will commence will be made by the member of staff providing the teaching and learning session.

For online synchronous or hybrid sessions, the member of staff providing the teaching and learning session will give a verbal reminder when recording will commence and / or they will display a PowerPoint slide with the relevant information.

2.4 Opt-out by students

For campus-based sessions, except for the purposes of student assessment, any student not wishing to be recorded should notify the member of staff at the start of the session and should sit in the recording-free zone indicated by the member of staff.

For online synchronous sessions, except for the purposes of student assessment, any student not wishing to be recorded should notify the member of staff at the start of the session and should switch off their camera, put their microphone on mute and not participate in the chat function. Students should also be reminded that they may not want to have a photo as their profile image that is displayed if their camera is turned off. They may also want to remove a photo from their profile image.

For hybrid sessions, students should follow the above process that corresponds with their manner of participation i.e. attending on campus or online.

2.5 Student consent

Subject to the right to opt out set out in paragraph 2.4 above, by attending the recorded teaching and learning session students consent to:

- i the University recording and making the recordings available on the module website;
- ii the processing of personal data in accordance with the University's Data Protection Policy, UPR IM08, 'Data Protection Policy and Privacy Statement'; and
- iii students grant the University an irrevocable, royalty free licence to all rights in or arising from any performance in a recording for the use of the recording set out in this UPR.

2.6 Pre-recorded teaching and learning materials and recordings not made in front of a live audience

Pre-recorded teaching and learning materials and recordings not made in front of a live audience will be available via the relevant module website on StudyNet. Availability of recordings and the intellectual property rights in such recordings are governed by the same principles as any University recording set out in paragraph 2.7 and 2.8 below.

2.7 Availability of recordings

- i Recordings will be available via the relevant module website on StudyNet. Recordings will normally be made available to students for the duration of their studies at the University.
- ii Recordings made by University staff for learning and teaching purposes should be stored, delivered and reviewed in line with the General Data Protection Regulations (**GDPR**) (Regulation (EU) 2016/679). UPR IM08, 'Data Protection Policy and Privacy Statement'.

2.8 Editing and take down of recordings

i Editing

Members of staff are not normally expected to review and edit a recording but, should they wish to do so, the recording should be posted within three working days. Unless the recording has been done by the member of staff themselves the recording will be automatically uploaded after a period of three working days. However, the Dean of School (or nominee) has the discretion to extend the period of review and editing.

ii Take down of recordings

If a member of staff later becomes aware that any defamatory, inaccurate or infringing material is included within a recording or there is any other reason why it would be expedient for the University to recall a recording, they must contact LCS Helpdesk immediately and the material will be taken down for review and editing and then re-posted.

2.9 University recordings and intellectual property rights

Where the University makes a recording of teaching and learning session available to students:

- i the University will own the copyright and all other related intellectual property rights in the recording; and
- ii the recording must only be used by students for educational purposes in accordance with the Copyright, Designs and Patents Act 1988. The student may not alter, amend, share, publish or otherwise make the recording available in whole or in part to any other person. Failure to adhere to the Copyright act may be treated as misconduct (see paragraph 5.1 below).

3 Student recordings of teaching and learning sessions

3.1 This paragraph only applies where University recordings are not available.

All students are permitted to make audio (but not video) recordings or take still photographs of material resources during teaching and learning sessions without obtaining the prior permission of the member of staff leading the session, but only and subject to the following conditions:

- i if asked students should declare that they are recording the session;
- ii no still photographs of staff or students in the session are permitted;
- iii students must use their own equipment and recording devices must be kept with the student at all times and must not be placed on the staff presenter's table unless required for any disability related reasons; and
- iv the member of staff may indicate that the session or part of it should not be recorded for good reason including but not limited to because the session or part of it:

- a contains confidential or personal information;
- b is commercially or politically sensitive;
- c includes such a degree of interaction with students that recording is not viable;
- d requires a student to make a significant contribution and the student has asked for recordings not to be made; or
- e is delivered by a visitor to the University who has not expressly given their consent to be recorded.

3.2 Recording and opt-out

It is the responsibility of the member of staff to inform students that a session or part thereof should not be recorded. A student who does not wish their contribution to be recorded should inform the member of staff at the start of the session.

3.3 Use made of student recordings

Any recording made by a student must only be used for educational purposes in accordance with the Copyright, Designs and Patents Act 1988. Students may not alter or amend, share, publish, or otherwise make the recording available in whole or in part to any other person, other than for transcription purposes. Students must delete the recording as soon as they cease to be a student of the University. Failure to adhere to the Copyright act may be treated as misconduct (see paragraph 5.1 below).

3.4 Student recordings and intellectual property rights

The University will retain the copyright and all other intellectual property rights in the recordings.

3.5 Student recordings and data protection

Recordings made by students will include the personal information of the member(s) of staff delivering the teaching and learning session and the personal information of students if they are captured in the recording. To protect the personal information of those captured the student must only use the recording as set out in 3.3 above.

4 Content from external parties

Express (opt-in) consent is required for the recording of external visitors speaking at a teaching and learning session organised by University staff. This applies to both University and student recordings. The external speaker must complete the standard University consent form in advance of the session.

5 University and student recordings of teaching and learning sessions

5.1 Inappropriate recording and /or use of recordings

Inappropriate recording and /or use of recordings in breach of this UPR will be subject to the University's disciplinary UPR and may also be subject to legal action for infringement of copyright or other intellectual property rights or of data protection law in relation to the processing of personal data under relevant data protection legislation.

5.2 Rights of disabled students under the Equality Act

Nothing in this UPR is intended to affect the rights for reasonable adjustments to be made with respect to teaching and learning sessions under the Equality Act 2010.

Sharon Harrison-Barker
Secretary and Registrar
Signed: **1 August 2023**

Alternative format

If you need this document in an alternative format, please email us at governanceservices@herts.ac.uk or telephone us on +44 (0)1707 28 6006.