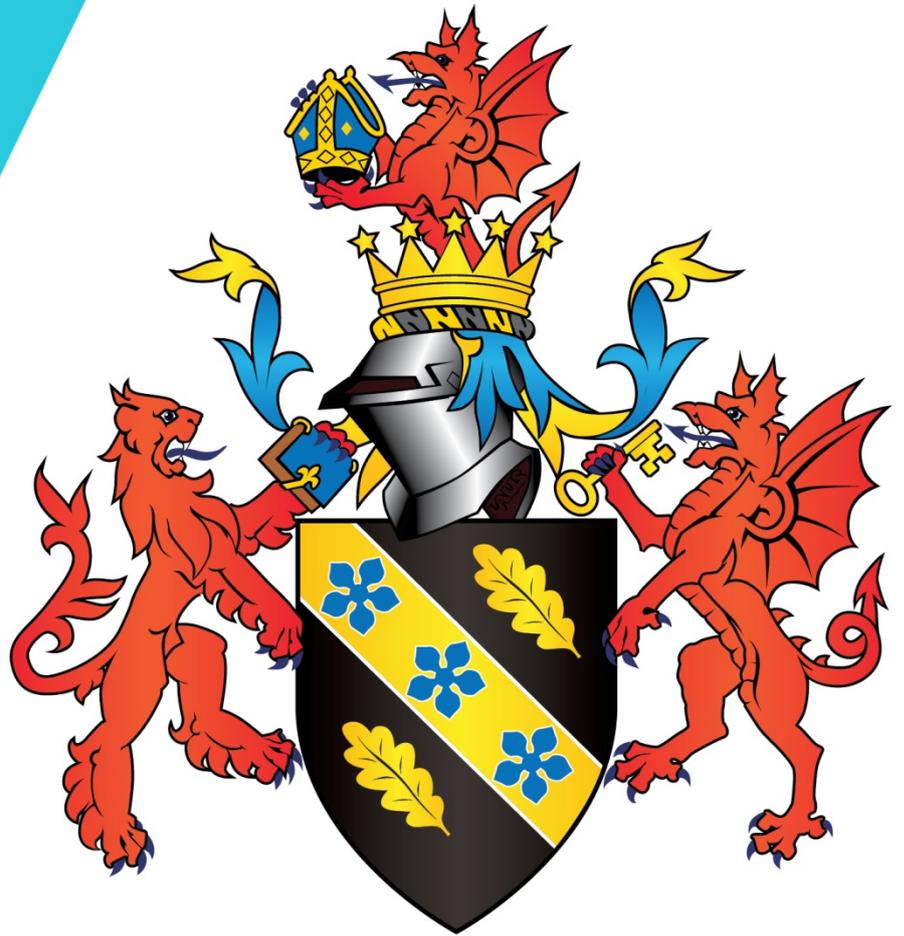




Prifysgol Cymru  
Y Drindod Dewi Sant  
University of Wales  
Trinity Saint David



# Lecture Recording Policy

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## 1. Introduction

The University seeks to enhance the student experience by providing recordings of lectures for students to revisit and review as part of their learning for each Module within their Programme of Study. This aligns with the Learning and Teaching Strategy and Digital Learning Framework that aims to ensure all students from all backgrounds achieve their potential by provision of a supportive environment and rich learning culture.

The lecture recording service enhances and extends student provision in general, and for students with specific disabilities and conditions in particular, and is in addition to the right granted to students within the Accessible and Inclusive Learning policy to record lecture audio (and, with permission, video) for their own personal learning.

## 2. Purpose

This policy aims to facilitate the practical and responsible recording of lectures and to provide clarity on the rights and responsibilities of the University, its staff and its students, external visiting lecturers and any other participants in recorded teaching.

The essential purpose referred to within this policy is to allow the students undertaking a taught Module to review recordings of lectures given as part of that module. The policy also permits a lecturer to re-use recordings of their lectures within educational resources or their own staff development. Other relevant and appropriate purposes may be considered only if all the participants in the recording agree to this.

The policy intends the lecture room to remain a safe place for the exposition and discussion of potentially controversial ideas between the lecturers and students on a module. The University will take the unauthorised sharing of lecture recordings by students or staff very seriously.

## 3. Scope

The policy covers timetabled synchronous lectures delivered in rooms in which the University has installed the equipment to allow the recording of lectures and timetabled synchronous lectures delivered online. Furthermore, it facilitates the use of the lecture recording service for other purposes, including the recording of seminars, tutorials or public lectures and pre-recorded lectures for use within a “flipped classroom” approach or for online distance learning.

## 4. Definitions

The policy assumes the definitions of lecture, covers all timetabled forms of teaching and academic delivery; but recognises the potential for practical difficulties with retaining consent where many people are recorded within the more interactive formats of teaching.

In this policy, a “participant” refers to as someone with intellectual property in any aspect of the recording, including the University, the lecturer and any other contributor to a discussion within the lecture.

Recordings are made by an automated system, and are neither intended to match the performance standards of professional actors nor the production standards of professional production teams. The University authorises the use of Microsoft Teams and Panopto for the recording of lectures, hereafter lecture recording service. Staff cannot use personal licences for other services to record lectures.



The University exceptionally will approve the use of Zoom for some lectures under the following criteria: department/institute management approves a relevant justification and if so, would need to fund required licenses and seek final approval from IT&S. All University zoom usage must be via a University email address and setup through the central UWTSD zoom account managed by IT&S. Under no circumstances is it permitted to utilise non-UWTSD zoom licensing for university activities.

## 5. Use of Recordings

- 5.1. The University will normally provide recordings of lectures to students on taught courses, where possible, to aid their learning through review and reflection. These recordings are not, other than in very exceptional circumstances, a replacement for lecture attendance.
- 5.2. The [UWTSD Student Privacy Notice](#) details how the University will use and share personal data in relation to the lecture recording service.
- 5.3. Recording of sensitive personal data as defined in current data protection legislation (including GDPR) shall not take place without the consent of the person(s) to whom the data relate. Appearing on camera during the recording of the lecture will be considered as consent.
- 5.4. The following uses of recordings are permitted under this policy:
  - 5.4.1. The University will provide lecture recordings, where available, to students on the instance of the module to which the lecture relates. By default, it will also provide access to the staff associated with the Module instance in the Virtual Learning Environment. The lecturer may restrict staff access to a recording further if required.
  - 5.4.2. A student may only use the recording for the purposes of their own personal study. The student must destroy any copy of the recording they hold once this purpose has been met. This will be on completion of the final assessment to which the module relates or when the student leaves the University, whichever is sooner.
  - 5.4.3. A lecturer may publish a recording of their lecture as an open educational resource, with appropriate modifications and safeguards, including an appropriate attribution, licence and having obtained any permissions required from other participants or third parties whose intellectual property resides within the recording.
  - 5.4.4. A lecturer may use recordings of their own lectures within their own performance review; to facilitate peer observation of their teaching; or if they are investigated for allegations of gross misconduct under the Disciplinary Policy.
  - 5.4.5. The University may use a lecture recording within the scope of an investigation under the appropriate Student Facing Policy.



- 5.4.6. An Institute may use a recording held within the lecture recording service in exceptional situations to provide continuity, as specified within business continuity plans relevant to the Institute.
  - 5.4.6.1. Examples of exceptional situations might include significant disruption from a pandemic or other natural event or the unforeseen loss of part of the University estate.
- 5.4.7. The Institute will, where reasonably possible, inform the lecturer beforehand that their lecture is to be used and for what purpose, and the lecturer will retain the right not to permit this use. If the lecturer, acting reasonably, objects to use for this purpose, the Institute will not be permitted to use the recording.
- 5.5. Any other use of a recording will require further, separate agreement between those with rights in the recording. In particular:
  - 5.5.1. The recordings and any associated metadata will not be used by the University for staff performance review or disciplinary processes without the lecturer's permission, except in the case of alleged gross misconduct.
  - 5.5.2. Lecture recordings may not be used as a replacement for intended staff presence in the lecture room (for example, live streaming lectures to overspill rooms) unless the lecturer permits this.
  - 5.5.3. Recordings will not be used to cover University staff exercising their legal right to take industrial action without the lecturer's consent or to replace a member staff who has been made redundant.
  - 5.5.4. Staff and students may otherwise only use, modify, publish or share restricted access lecture recordings or excerpts with the permission of the Discipline that owns the Module and of the lecturer and of any other participants in the recording.
  - 5.5.5. It shall be a disciplinary offence to use, modify or distribute recordings without permission, including but not limited to: copying the recording, issuing copies of it to the public, renting or lending copies of it to the public, playing it in public or broadcasting it. An employee or student using, modifying or distributing a recording without permission may be investigated under the Staff Disciplinary or Student Non-Academic Misconduct Policy.
- 5.6. Recordings do not constitute a replacement for student attendance at lectures unless the University has specified this as a reasonable adjustment for a disabled student.
- 5.7. Institutes and students must not use lecture recordings as a routine mechanism for managing clashes of timetabled lectures.
- 5.8. The University and Institutes will provide guidance to students on how to benefit from lectures and how to use lecture recordings appropriately.



## 6. Level of Provision

- 6.1. The University will aim to provide a recording of every lecture, as far as is possible and appropriate, in support of a consistent and inclusive student experience. Lecturers will record their lectures using the lecture recording service except where a lecture cannot or should not be recorded as detailed in 6.3 below.
- 6.2. The Lecturer will be responsible for initiating their own recording through a service provided by the University.
- 6.3. The University recognises there are situations where all or part of a lecture should not or cannot be recorded.
  - 6.3.1. Among these are that: there are teaching approaches that may not be suitable for recording, such as those with a high degree of interactivity;
  - 6.3.2. a lecturer should not change their teaching approach to facilitate lecture recording where this change would be detrimental to the student experience;
  - 6.3.3. there may be legal, ethical or privacy reasons or other significant concerns for not recording part or all of a lecture;
  - 6.3.4. a lecturer may have personal reasons that make it inappropriate for their lecture(s) to be recorded;
  - 6.3.5. the lecture recording service is not available.
- 6.4. The lecturer is responsible for deciding whether the interests in not recording part or all of a lecture outweigh the interests in recording. They should consider whether the routine options either to pause recording during the lecture, or to turn off video recording (where the room has video facility), would otherwise allow recording to proceed.
- 6.5. Student Experience Committee will monitor this process to promote consistency across the University.
- 6.6. Institutes will normally notify students which of their lectures will be recorded or not.
- 6.7. The University expects that Lecturers will release the recordings to students within 2 working days after the completion of recording and post-processing of the associated data. Lecturers may alternatively opt for immediate release or manual release of their scheduled recordings. The 2 working day delay gives the lecturer (or Module Lead, where the lecture is given by a student or a visiting lecturer) scope to postpone the scheduled release of a recording where they believe there is cause to do so, for example where it may be necessary or desirable to review or edit a recording prior to release.
- 6.8. Students will normally access lecture recordings via the University's VLE or Microsoft Teams.



## 7. Accessibility

- 7.1. Recordings must not breach equality legislation.
- 7.2. The Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018 build on the existing obligations to people who have a disability under the Equality Act 2010 and place an anticipatory responsibility on the University in making reasonable adjustments to its services. Lecture recordings in themselves represent provision of teaching resources in an alternative format. The Accessibility Regulations require that, from 23<sup>rd</sup> September 2020, all 'time-based media' (video and audio) must either provide a transcript or captioning or both (video only).
- 7.3. The University will provide clear, accessible guidance on how to access recordings through the VLE or Microsoft Teams.

## 8. Participants and University rights

- 8.1. By using the lecture recording service, staff, students, visiting lecturers and other participants consent to the University recording them and agree to give the University the licences necessary to use the recordings for the essential purpose in this policy. Moral rights are retained by the person delivering the lecture.
- 8.2. Where the University and an 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 to grant the University a non-exclusive licence to use the material for the essential purpose in this policy.
- 8.3. In online sessions, where there are privacy concerns the University suggests that participants blur their background; use an appropriate background filter; or if required, turn off their camera.
- 8.4. Performer rights 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 for the essential purpose in this policy. 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 introductory slide.<sup>1</sup>
- 8.5. Where a student (either as the lecturer or as a participant) holds some or all of the intellectual property rights to material used within a lecture recording, the student agrees to grant the University a non-exclusive licence to use the material for the essential purpose in this policy. The student also agrees to grant the University a non-exclusive license for re-use of the material by the lecturer within an educational resource or the lecturer's own staff development, marketing and for re-use of the material by the Institute within the scope of a business continuity plan.
- 8.6. A student is required to be recorded if the recording is a mandatory part of their assessment. Students wishing not to be recorded should, where possible, sit in areas away from microphones and outwith the field of view of any camera installed

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<sup>1</sup> This method for asserting rights is intended as an interim measure while the University investigates whether it would be possible to move to a default of identifying the lecturer automatically.



or turn their camera off within an online environment, although they will be required to confirm their identity.

- 8.7. External visiting lecturers (or their employer as appropriate) retain copyright on work and any other intellectual property rights they generate and, by accepting the terms of the external visiting lecturer agreement on lecture recording, agree to grant the University a non-exclusive licence to use the recording for the essential purpose in this policy.
- 8.8. To allow for the pre-recording of material the University will aim to provide suitable spaces are available for recording.

## 9. Third party copyright

- 9.1. Staff, students and visiting lecturers presenting material in a recording must ensure that they do not infringe third-party copyright.
- 9.2. Use of third party materials may fall within the “fair dealing” exception if used for the sole purpose of illustration for instruction.
- 9.3. Notwithstanding 9.2 above, where a lecture includes broadcast or other material under a licence that does not clearly permit copying that material further, the lecturer shall pause the lecture recording while using the licenced material and should subsequently and where appropriate provide students with separate access to the licenced material (for example, linking it from the virtual learning environment).
- 9.4. The University will provide sources of advice to lecturers with queries over potential copyright infringement, including the [UWTSD Copyright Hub](#).
- 9.5. Lecturers must provide visible citations on slides and for recordings used within recorded lectures.
- 9.6. Any party who believes their rights have been infringed in or by a recording may contact the lecture recording Service Owner who will normally take down the recording pending investigation of the alleged infringement.

## 10. Security and retention of recordings

- 10.1. The University or its software partners will securely host media captured and delivered by the lecture recording service (Microsoft Teams and Panopto).
- 10.2. The recordings will need to be deleted manually by the lecturer concerned.
- 10.3. Data are hosted within the EU<sup>2</sup> and the data protection and data security arrangements must satisfy the University’s Data Protection Officer.
- 10.4. If a licence for material used within a recording constrains the University to retain that material for less than an 18-month period, then the lecturer must arrange for deletion of the material at the end of the time specified by the licence. Lecturers

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<sup>2</sup> The University’s software partner may operate a worldwide 24-hour support model, in which case the DPO must be satisfied with the data protection and security arrangements that will allow software partner support staff based outwith the EEA to access the data required to provide this support. Microsoft is planning to relocate video streaming data to the UK in line with Brexit.



may otherwise delete their recordings sooner than the normal 18-month period with the permission of their Head of Institute or nominee.

- 10.5. In the event of a lecturer’s employment with the University ending, the University will retain their recordings for the normal 18-month retention period unless the lecturer arranges to delete or transfer them per paragraphs 10.2-3 above. A former employee wishing to use a lecture recording should contact the Institute responsible for the module.
- 10.6. The University reserves the right to audit recordings in the context of service operation and management and the University may delete an inappropriate recording sooner than the normal 18-month period.
- 10.7. When a lecturer or the University deletes a recording before the end of the instance of the Module to which the lecture relates (including re-sit examination where applicable), they should notify the students on the Module and the other participants in the recording.

11. Links to other policies / procedures

<https://www.ydds.ac.uk/media/uwtsd-website/content-assets/documents/strategies-policies/2.0-Staff-Intellectual-Property-Policy.pdf>

Policy author(s):

**Kyle Erickson.....Job Title...Director of Academic Experience..**

.....**Job Title.....**

Document version control

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\*Delete as appropriate  
\*\* insert when available

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### **Approval**

*The policy will be formally considered and approved in accordance with Committee Terms of Reference outlined in the Academic Quality Handbook.*

*If the policy affects staff, advice should be sought from HR at the outset to ascertain if consultation is required at JCC. HR will also provide advice on the most appropriate stage to consult with JCC and on whether approval by Council is required*

*ALL policies submitted for approval must be accompanied by a completed:*

- [Equality Impact Assessment.](#)
- [Institutional Impact Assessment](#)
- [Privacy Impact Assessment](#)

*Prior to submission to committee, authors are asked to consult the Policy and Planning Team who will check that the document complies with University requirements. The Policy and Planning Team will complete the section below.*

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### **For completion by the Policy and Planning Team**

*Please tick to confirm the following:*

*An institutional Impact Assessment has been completed*

*An EIA has been completed*

*A PIA has been completed*

*Matters requiring consideration by the approving committee:*

