****

**Edinburgh Napier University**

**Policy On The Use Of Captured Content**

**Approved September 2023**

# Background and Scope

* 1. Edinburgh Napier University is committed to enhancing student experience through innovative, accessible, and inclusive pedagogical practices. Development in educational technology has allowed us to embed the use of digital capture into our learning and teaching to the benefit of students. The University is therefore committed to ensuring suitable captured content is made available to students, and this policy sets out the approach adopted, as well as outlining the rights and responsibilities for the University, staff, and students.
  2. For the purpose of this policy, digital capture is understood as the act of recording a learning and teaching activity where the recording is made available to students as a video at a later time. Digital content refers to any content contained in such a recording, be it visual, audio, or otherwise, generated as a result of digital capture.
  3. The University recognises that the digital capturing of teaching should not impinge on academic freedom and should not be used to replace live or in-person teaching where this is the approved learning and teaching strategy.
  4. This policy applies to all lectures, which for the purpose of this policy is defined as:
     1. Lecture. A learning and teaching activity or session which mainly serves to allow teachers to share information and knowledge, provide guidance and/or feedback, demonstrate knowledge and practice, or stimulate and inspire thinking, should be considered a ‘lecture’ for the purpose of this policy; this may include what might in other contexts be called mini- lectures, demonstration sessions, talks or similar.
     2. The mere existence of elements of student engagement does not preclude the learning and teaching activity from being a ‘lecture’ so construed. Although if enabling or facilitating student engagement, input, or interactions are the main purpose of the activity or session, then it falls outwith the scope of this definition of a lecture and therefore of this policy.
  5. This policy involves the storage of personal data of employees; this data is collected solely for the purpose outlined in 1.1 above.

# Policy

* 1. All teaching delivered in the formats specified in 1.4 above should be digitally captured and this captured content should be made available to students advised into the relevant module.
  2. In line with the University's [Intellectual Property (IP) Policy,](https://livenapierac.sharepoint.com/sites/rio/research-policy-guidelines/Research%20%20Innovation/Commercial_BE_CPD/Intellectual%20Property%20Policy_APPROVED%20FEB%202018.pdf) Edinburgh Napier University, under UK legislation, is the automatically assumed owner of all IP content created or developed by employees of the University or anyone conducting work for the University during the course of their normal contractual duties or as a result of a task assigned by the University. Such content will remain available for these students for the duration of the current instance of the module. Thereafter, all recorded content will be deleted, unless explicit permission to retain it has been given by staff.
  3. All digitally captured content should be captioned in order to meet accessibility legislation. Further guidance for staff is available here: [Captioning Guidelines for recording teaching events](https://blogs.napier.ac.uk/learningtechnologyhub/wp-content/uploads/sites/37/2020/09/Captioning-Guidelines-for-Recording-Teaching-Events.pdf).
  4. Students should be notified that the session will be recorded at the start of the session by the member of staff leading the activity being captured.
  5. Except where authorised by the University and with the permission of the staff member(s) who made it, captured content is not for re-use, repurposing or public consumption by any means, including by external publication, whether on the web or otherwise. The use of the digital capture service is for educational purposes only. Any use that falls outwith University business is prohibited.
  6. Captured content will not be used to monitor staff performance.
  7. Captured content will not be used as part of any disciplinary investigations.
  8. Captured content will not be used to cover teaching during industrial action unless consent is explicitly given by the members of staff who captured the content.
  9. Students may not download or make available to anyone else any captured content, with the following exceptions:

1. Captured content can be downloaded for the purpose of personal use in cases where the relevant member of staff has chosen to make the recordings available for download.
2. If the captured content is made available for download by the relevant member of staff (see a. above), the captured content in question can be made available to others solely for the purpose of obtaining transcriptions.
3. As a reasonable adjustment, disabled students using assistive technology (including for example Glean) to support their note-taking, will be entitled to download class recordings for strictly personal use

Anyone found to have downloaded or made available to anyone any captured content outwith the exceptions above may be subject to disciplinary or legal proceedings.

* 1. The University accepts that there are circumstances under which the nature of the learning and teaching activities renders the recording of those sessions inappropriate. Therefore, there are 2 processes whereby exceptions approved by the Vice Principal for Learning and Teaching or equivalent apply:
     1. If a lecture is designed to cover sensitive materials (e.g. politically sensitive), an exemption can apply to the recording requirement. Such exemptions should normally apply on a lecture-by-lecture basis.
     2. Staff can request to have their contributions subsequently deleted from captured content for the following good cause listed as below:
        1. Sensitive materials of a personal nature
        2. Sensitive materials of a political nature
        3. Materials containing substantially inaccurate or otherwise problematic information
        4. Materials with copyright implications
        5. Materials that risk or intend to bring into disrepute the member of staff, other lecturers, or students whose comments are recorded
     3. Students can request to have any content that captured their contributions to be removed without providing any reason.
  2. Statistics on the use of captured content may be used to monitor the engagement of student cohorts but not of individual students.
  3. As part of [mainstreaming reasonable adjustments](https://livenapierac.sharepoint.com/:w:/r/sites/di/Learning%20Profiles%2020212022/Mainstreaming%20reasonable%20adjustments%20-%20guidance%20notes/2%20Class%20recording%20-%20guidance%20note%20(2).docx?d=w999c782325c14d55808ebbada5567ce6&csf=1&web=1) students can record classes for their own use only. Recordings should not be published, distributed, broadcast or sold in any form. Failure to comply with the restrictions in the policy might lead to disciplinary action under the Student Conduct Regulations. Recordings should be deleted once their course is completed.

# Sources of support and guidance

1. [Panopto Lecture Recording Guidance for staff](https://blogs.napier.ac.uk/learningtechnologyhub/learning-technologies/panopto/)
2. [Intellectual Property Policy](https://livenapierac.sharepoint.com/sites/rio/research-policy-guidelines/Research%20%20Innovation/Forms/AllItems.aspx?id=%2Fsites%2Frio%2Fresearch%2Dpolicy%2Dguidelines%2FResearch%20%20Innovation%2FCommercial%5FBE%5FCPD%2FIntellectual%20Property%20Policy%5FAPPROVED%20FEB%202018%2Epdf&parent=%2Fsites%2Frio%2Fresearch%2Dpolicy%2Dguidelines%2FResearch%20%20Innovation%2FCommercial%5FBE%5FCPD&p=true&ga=1)
3. [Mainstreaming reasonable adjustments: class recording](https://livenapierac.sharepoint.com/:w:/r/sites/di/Learning%20Profiles%2020212022/Mainstreaming%20reasonable%20adjustments%20-%20guidance%20notes/2%20Class%20recording%20-%20guidance%20note%20(2).docx?d=w999c782325c14d55808ebbada5567ce6&csf=1&web=1)
4. [Copyright guidance LibGuides](https://libguides.napier.ac.uk/copyright)

|  |  |
| --- | --- |
| Policy Title | POLICY ON THE USE OF CAPTURED CONTENT |
| Version | Approved |
| Approval date | 27 September 2023 |
| Review | 2027/28 |