

**Recording of Learning & Teaching Activities Policy**

**1. Introduction**

This policy outlines the University's position in relation to audio and visual recording of classroom learning and teaching activities.

The recording of learning and teaching activities provides Edinburgh Napier University with useful learning resources and enables students to access content on demand. This can have advantages for blended and online distance learning, revision, and the re-use of materials. With corresponding advances in technology, this practice is becoming increasingly popular with many classroom learning and teaching activities now being stored on University servers.

The University promotes the use of on-line and classroom-based technologies; within classroom, blended, and online contexts. General guidance on making good use of technology in learning, teaching and assessment is available within the University's [Benchmark for the Use of Technology in Modules](#).

The University recognises that students may want to record classroom learning and teaching activities in order to support their learning and may require a recording as a reasonable adjustment. The University also recognises that the University may require recordings of teaching and learning events to support on-line and overseas students.

The University is committed to the protection of intellectual property rights, in respect of which the [Policy for the Ownership and Exploitation of Intellectual Property](#) applies, and to our obligations to individuals under the Data Protection Act 1998, both of which are engaged by the audio and visual recording of classroom learning and teaching activities.

The University has an existing separate process for students with a disability who have been approved to record lectures as a reasonable adjustment, which will continue to apply.

Guidance for staff on permitting students with a disability, health condition or specific learning difficulty to record lectures is set out in **Appendix A**.

Guidance for students with disabilities, health conditions or specific learning difficulties who wish to record lectures is set out in **Appendix B**.

## **2. Scope**

The term 'recording' refers to any audio or visual recording of a lecture (including photographs), lecture materials or any other learning and teaching event, made with any type of device which can make an audio or visual recording.

## **3. Audio and Visual Recording of Classroom Learning and Teaching Activities**

University staff should not unreasonably refuse audio and visual recording requests. However, permission to record must be sought, either verbally or by email from the lecturer by the student, in advance of any recordings taking place. If there is a valid and justifiable reason why consent to record is not given, the onus is on the lecturer to provide materials in another format (i.e. audio transcript of lecture notes / detailed hand-outs).

When recording lectures or materials used, the lecturer must carefully consider whether issues of confidentiality arise, or when personal or sensitive information is being discussed (i.e. patient or client consultation, recordings of school placements where children are involved or where a current author reads works that are still unpublished).

Students must be advised prior to the commencement of the learning and teaching activity if the recording of the session, or parts of it, is not permitted.

Students should otherwise assume that some form of recording is taking place at all learning and teaching events. If a student does not wish to be recorded either aurally or visually they should make the lecturer aware of this at the beginning of the event and the lecturer will ensure that all such recording is stopped if that student speaks or their image is captured.

## **4. Audio and Visual Recording as a Reasonable Adjustment**

As a provider of educational services, the University has duties and responsibilities to disabled students under the Equality Act 2010, including the duty to make reasonable adjustments. If a student has a disability that is covered by the Equality Act, the Disability and Inclusion Team will assess them and enable any reasonable adjustments (which may include permission to record learning and teaching events). In the event that the lecturer has a valid and justifiable reason why consent to record is not given, the onus is on the lecturer to provide materials in another format (i.e. audio transcript of lecture notes / detailed

hand-outs). For more information please contact the [Disability and Inclusion Team](#).

## **5. Intellectual Property Considerations for Recording Purposes**

Intellectual property rights in the content of classroom learning and teaching activity belong to the University or to a relevant third party, as outlined in the University's [HE2000 Contract](#). Permission is, therefore, not required to include these works in the recording of a classroom learning and teaching event.

In circumstances where third party material is being substantially used during a learning and teaching activity, lecturers must ensure that they have received the appropriate permission for this to be included in the recording. Where they have been unable to obtain permission, they must ensure that they specify any restrictions on audio and visual recording and communicate these restrictions at the start of the learning and teaching event.

Ownership of intellectual property rights in any third party materials are not altered if classroom learning and teaching activity is recorded.

## **6. Student's use of Recordings of Classroom Learning and Teaching Activities**

All recordings of classroom learning and teaching activities by individual students may only be used for the purpose of the student's personal study.

Students are not permitted to:

- Record classroom learning and teaching activities without the lecturer's prior consent (verbal / e-mail).
- Record classroom learning and teaching activities on behalf of anyone else.
- Pass any recordings to any other person by any means, including distribution via email, except for the purposes of transcription only.
- Publish, distribute, broadcast or sell any recordings in any form (this includes, but is not limited to, the internet and hard copy publication).

Any student found to have breached any of the above, may be subject to disciplinary action under the Student Conduct Regulations.

Students may retain recordings of classroom learning and teaching activities for the duration of their programme of study, after which they should be destroyed in accordance with the University's [Guidance on the Safe Disposal of Confidential Waste](#).

## Edinburgh Napier University

### Student & Academic Services

#### *Guidance for staff on permitting students with a disability, health condition or specific learning difficulty to record lectures*

#### **Why give permission for students to record lectures or tutorials?**

- The University recognises its duty under the Equality Act 2010 (incorporating the former Disability Discrimination Act ) to make appropriate reasonable adjustments for students with a disability, health condition or specific learning difficulty (such as dyslexia) in order to counter any significant barriers they may face because of their difficulties
- As a University, we are strongly committed to equality of opportunity and supporting students with any accessibility requirements
- Students may be given permission to record lectures and tutorials as a reasonable adjustment, by a member of the Disability and Inclusion Team. This could be for a variety of reasons. Some examples of the situations where recording lectures or tutorials might be approved include the following:
  - Mobility difficulties preventing note-taking
  - Chronic medical conditions that make it difficult to sustain handwriting even for a short period of time
  - Students with specific learning difficulties such as dyslexia

#### **The Process**

- Students with whom it has been agreed that they may record lectures as a reasonable adjustment, will be issued with a card authorising permission. This will have been signed and approved by a member of the Disability and Inclusion Team.
- School Disability Contacts will be informed of students who have permission to record lectures and tutorials and are responsible for informing all lecturers or tutors involved in teaching that student.
- Students with permission to record lectures and tutorials will be asked to show the card to the appropriate lecturer or member of academic staff if requested to do so.
- It is assumed that any information a University lecturer conveys during a lecture or tutorial, is information which any student is entitled to have a record of, in some format. Students who need to receive information in an audio-format should, therefore, be permitted to record this information, unless there are justifiable reasons why this might not be possible in particular circumstances.
- Examples where recording may not be appropriate would be when personal or sensitive information is being discussed, such as in a patient or client

consultation, any recording on school placements where children are involved, or where a current author reads works still to be published.

- In giving agreement to students to record lectures or tutorials, we will ask students to observe and agree to specific requirements. Students are requested to:
  - Abide by all the provisions within the University guidelines for recording lectures
  - Record lectures or tutorials exclusively for their own personal study use only
  - Show their authorisation card to lecturers, if requested to do so
  - Stop recording if requested to do so by a lecturer or other member of academic staff (including visiting lecturers) where information or discussion might be sensitive, private or confidential
  - Understand that they acquire no intellectual property rights in the recording or its contents
  - Understand that they are prohibited from broadcasting or supplying the recording to any other person for commercial or any other purposes, except for transcription
  - Understand that to contravene the guidelines is a breach of the entitlement to record information which will be treated as a serious disciplinary matter and permission to record will be withdrawn
- Visiting lecturers are 'agents' of the University and as such are subject to the same guidelines and University protocols as other staff

### **Alternatives where it is not considered possible for lectures or tutorials to be recorded**

- If it is not considered possible for students to record a particular class, students should be made aware of this well in advance. The duty to ensure that all students have full access to all lectures still remains and in any circumstances where it is not considered possible for the student to record the lecture, alternative means of enabling this should be negotiated with the student(s) concerned.
- If a student is able to access written material, other options might include the services of a note-taker or the provision of a full transcript of the lecture (not just copies of the presentation itself).
- If it is essential for the student to receive information in an audio-format, options may include the provision of the full transcript in electronic format (enabling the student to use text-voice software, if they utilise this) or having lecture-notes dictated onto tapes.
- Individual students will have different needs and what might be deemed appropriate as an adjustment for one student might not be a suitable adjustment for all students.
- If there are any significant concerns these should be discussed by the lecturer, with the student and the Disability and Inclusion Team. All parties

should be clear on what provisions are being made, well in advance of the class itself.

**Edinburgh Napier University**

**Student & Academic Services**

**Permission to record lectures: guidelines for students with disabilities, health conditions or specific learning difficulties**

- The University recognises its duty under the Equality Act (formerly the Disability Discrimination Act) to make reasonable adjustments for students with a disability, health condition or specific learning difficulty (such as dyslexia)
- We are strongly committed to equality of opportunity and supporting students with any accessibility requirements
- You are being given permission to record lectures and tutorials as a reasonable adjustment but in giving this agreement, we need to ask you to observe and agree to specific requirements
- These requirements are in place to ensure that legal considerations( such as copyright or data protection) and matters of privacy, sensitivity or confidentiality are observed
- Please note that you will acquire no intellectual property rights in the recording or its contents whatsoever and are expressly prohibited from broadcasting or supplying the recording to a third party for commercial gain or other purposes, except for transcription

You are required to:

- Abide by all the provisions within these guidelines
- Record lectures or tutorials exclusively for your own personal study use and to stop recording if requested to do so by a lecturer or other member of academic staff (including visiting lecturers), where information or discussion might be sensitive, private or confidential
- Show your authorisation card to lecturers, if requested to do so
- Ensure you do not pass information you have recorded to any other person, except for the purposes of transcription
- Understand that contravention of these guidelines would be a breach of your entitlement to record a classroom learning or teaching event ; this would be treated as a serious disciplinary matter under the Student Conduct Regulations and your permission to record withdrawn