

PAPERS TO BE CONSIDERED BY QUALITY ASSURANCE COMMITTEE

Date of Meeting of the Quality Assurance Committee: 22 February 2017
Title of Paper: Draft Policy and Guidelines on the Use of Recording Devices in Lectures and Tutorials
Rationale: This paper provides a draft policy and guidelines for staff and students' recording of student learning activities such as lectures, tutorials and seminars.
Intended Outcome: Committee members are asked to provide their comment on the draft in writing to educationenhancement@strath.ac.uk by 13 March 2017. The paper is also being shared with LEC members.
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POLICY AND GUIDELINES ON THE USE OF RECORDING DEVICES IN LECTURES AND TUTORIALS

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1.0	Policy and Guidelines on the Use of Recording Devices in Lectures and Tutorials	Disability Service / Education Enhancement	Senate xx/xx	August 2017

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Contents

1. Introduction	4
Definitions	4
2. Audio recording of lectures by students.....	4
3. Audio recording of group based learning activities	5
4. Compliance.....	5
Appendix A.....	7
Guidelines for Students on the Use of Audio Recording Devices in Lectures and Tutorials	7

1. Introduction

- 1.1 This document outlines the University of Strathclyde's policy and guidelines on the **audio** recording of lectures and other group based learning activities such as seminars and tutorials. It sets out the conditions under which recordings can be made, and clarifies responsibilities to ensure that the University is meeting its obligations under equality, copyright and data protection legislation. This policy applies to all students and staff involved in teaching and learning.
- 1.2 The use of audio recording devices in lectures and tutorials by students is becoming increasingly popular and can provide a useful study and revision resource for students. Under the Equality Act 2010, the University has a legislative responsibility to make reasonable adjustments to ensure that students with disabilities can fully participate in their programme of studies and to promote equality of opportunity; use of recording devices in the learning environment is considered as a common, standard reasonable adjustment. The UK Quality Code for Higher Education (Chapter B3: Learning and Teaching) asserts that equality of opportunity involves ensuring that "disabled students and non-disabled students are offered learning opportunities that are equally accessible to them, by means of inclusive design wherever possible and by means of reasonable individual adjustments wherever necessary". As such, the University also normally permits the audio recording of lectures and other group based learning activities for personal use by all students, as part of its commitment to the creation of an inclusive learning environment.

Definitions

- 1.3 For the purpose of this policy the term:
 - 'Lecturer' refers to any University staff member involved in teaching and learning.
 - 'Record' refers to **audio** recording of lectures by students and staff. **Visual recording of lectures and other group based learning activities is not permitted without explicit, prior consent of the lecturer and others involved.**

2. Audio recording of lectures by students

- 2.1 As part of its commitment to creating an inclusive learning environment, the University normally permits students to audio record lectures. Instances where recordings are not permitted are deemed as exceptional and it is anticipated that this will only relate to situations where copyright, data protection or commercial intellectual property rights of others could be infringed, or where lectures include sensitive clinical material or personal data.
- 2.2 Students are not normally required to ask permission to record lectures for personal use. The University does not consider it appropriate to place the responsibility on students to ask for permission to record as this is in conflict with its overarching commitment to inclusive practice.
- 2.3 The University owns the intellectual property in the content of lectures and other teaching sessions (e.g. seminars, tutorials). Where University staff own any Performance and related rights in their lectures, it is expected that, except in exceptional circumstances, the default position is that permission is granted to students to record their lectures (audio only) as outlined in this policy.

- 2.4 University staff should take care when using any third party audio material in their lectures, such as music. To mitigate any risks, only extracts should be used and these should only be as long as necessary for the pedagogical purpose. They should be appropriately cited and acknowledged. If members of staff have any queries, they should contact ictlegalcompliance@strath.ac.uk
- 2.5 Recordings made by students can only be used by that individual for personal study, and must not be reproduced or passed on to anyone else (other than for transcription purposes), or posted on external websites including social networks. Once a permanent copy of a recording has served its purpose it should be erased. This will normally be after the successful completion of the module and always be before the student leaves the University.

3. Audio recording of group based learning activities

- 3.1 The University recognises that further consideration is required for the authorisation of audio recording in group based learning activities (e.g. seminars, tutorials or break-out activities) where staff and students are active in generating content and outputs and some of the discussion or content may be personal, sensitive and/or confidential.
- 3.2 The University will endeavour to permit audio recordings of these sessions in accordance with its approach to lectures, in that it is presumed that permission to record is normally granted, however, additional steps must be implemented to ensure that the lecturer notifies, and obtains express permission from, participating students for the learning activity to be audio recorded.
- 3.3 In instances where there is a clear and justifiable cause to believe that the recording will breach privacy and/or impede the learning of those taking part, permission to record the learning activity may be withheld. Where a lecturer withholds consent for the recording to take place, in accordance with the requirements of the Equality Act 2010, the staff member concerned should provide alternative ways of accommodating the needs of students with disabilities for whom recording is a reasonable adjustment.
- 3.4 All parties have the right to request that the recording is stopped for a particular discussion or section of the learning activity if they are uncomfortable with, or consider it inappropriate for, the recording to continue.

4. Compliance

- 4.1 In all instances where permission to record a lecture and/or group based learning activity is refused:
- (i) Potential conflicts arising from other students not wishing to be recorded should be handled as sensitively as possible by the lecturer while bearing in mind that allowing a student with a disability to record a lecture or seminar may be a legal requirement. It is expected that the lecturer would not draw attention to the reason for the recording being made.
 - (ii) Students with disabilities should be given access to the learning material in an alternative and appropriate format where this is considered to be a reasonable adjustment.
 - (iii) It is expected that the reason(s) for refusal will be communicated to the students requesting permission.

- (iv) The process for dealing with such situations may vary across academic departments; however, a suitable alternative should be considered and provided for those students with disabilities.

4.2 Failure to comply with the Policy and Guidelines on the Use of Recording devices in Lectures and Tutorials constitutes a breach of University rules and will be regarded as a disciplinary matter and will be handled in accordance with the Student Discipline Procedure.

5. Further information

5.1 Further information on Data Protection, Copyright, Disability Services and Equality and Diversity can be found below:

Data Protection weblink: <http://www.strath.ac.uk/dataprotection/>

Copyright weblink: <http://www.strath.ac.uk/is/compliance/>

Disability Service weblink: <http://www.strath.ac.uk/disabilityservice/>

Equality and Diversity weblink: <http://www.strath.ac.uk/staff/equalitydiversity/>

Appendix A

Guidelines for Students on the Use of Audio Recording Devices in Lectures and Tutorials

- 1.1 The University recognises that there may be occasions when a student might wish to **audio** record lectures and other teaching activities (e.g. seminars, tutorials). These guidelines sets out the conditions under which recordings can be made and apply to all students, including students with a disability related purpose for recording.
- 1.2 Please note that these guidelines apply to audio recording only. **Visual recording of lectures and other group based learning activities is not permitted without explicit, prior consent of the lecturer and others involved.**
- 1.3 In all instances where the audio recording of lectures, seminars and tutorials are made, the following requirements apply:
 - (i) Any recording made is for the sole use of the student who made the recording and must be kept secure at all times.
 - (ii) Recordings may not be conveyed to any other person by any means whatever, other than for transcription purposes.
- 1.4 The ownership of any Intellectual Property contained within the recording remains with the University, the member of staff or third parties as appropriate. These rights do not pass to the student making the recording.
 - (i) Any recording made must be destroyed by the student once its purpose has been met. This will always be before the student leaves the University and shall normally be by the end of the module during which the recording is made.
 - (ii) The recording method employed must be discreet and not intrusive with regard to other participants in the lecture or seminar.
 - (iii) Whilst the lecturer will always endeavour to permit the audio recording the teaching session, there are occasions when permission to record may be refused. Although not exhaustive, these might occur in instances where:
 - a) The learning activity is likely to contain a lot of spoken interaction between students, some of whom may not be comfortable having their voices recorded.
 - b) The learning activity includes sensitive content.
 - c) Recording the learning activity may constitute a breach in conditions imposed by third party owners of material.
- 1.5 In such instances, the lecturer should advise all students of this at the earliest possible opportunity and access to the material concerned in an alternative format for students with disabilities should be arranged.
- 1.6 Failure to comply with the Policy and Guidelines on the Use of Recording devices in Lectures and Tutorials constitutes a breach of University rules and will be regarded as a disciplinary matter and dealt with under the Student Discipline Procedure.