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| **Item** | **Description** |
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| Contact: | quality@hull.ac.uk |
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| Application for exemptions to: | Education Committee |

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**University policy:**

the use of recording for teaching and learning purposes

1. Our students have told us that they value recordings of lectures and other teaching activities. Recordings allow students the flexibility to study when they are able to do so (taking into account caring responsibilities, work commitments, time zone restrictions for example), and they facilitate pre-session preparation and post-session recap and revision. Recordings of teaching activities can also be an important part of a strategy for inclusive teaching and of additional benefit to students for whom English is not a first language.
2. It is expected that our students are provided with a high quality and fully inclusive learning experience, and it is acknowledged that staff and students should be afforded access to the hardware, software, connectivity and training needed to ensure success.
3. This policy applies to recordings made using Panopto and to other recordings using platforms supported by the University both on and off campus. It also applies to recordings made and distributed using other technologies and platforms for the purposes of teaching.
4. The default position under this policy is that all lectures, and where possible and practicable other teaching activities, both synchronous and asynchronous, will be recorded using Panopto or other software and an audio recording and any associated presentational materials (e.g. PowerPoint slides) or other online materials will be made available to students via the Virtual Learning Environment (VLE), Canvas. Recordings must be inclusive and made using a recording format that enables captioning, and teaching staff are responsible for the correct captioning of their recordings. The TEA can provide advice and support re inclusion and captioning.
5. It is recognised that not all teaching styles are suitable for recording and while the default position is that teaching should be recorded it is also understood that academic staff and others involved in the delivery of teaching materials are best placed to determine the most appropriate pedagogy for their discipline.
6. It is also acknowledged that where sensitive, controversial or potentially confidential information is being shared during teaching, or when the session is planned to be ‘deliberately discursive’, the member of staff may determine that it is inappropriate to record all or part of the session. However, if no recording is to be made available it is important that this is explained to the students concerned.
7. Where a ‘mini lecture’ is included as part of a discussion-based session that is not being recorded the ‘mini lecture’ should still be recorded for the benefit of students who are absent.
8. Recordings of both synchronous and asynchronous teaching activities should be made available to students through a university-supported platform such as Microsoft Teams or Canvas.
9. Recordings of synchronous teaching activities should be uploaded to Canvas as soon as possible after their delivery, although staff have the right to edit their recordings before doing so.
10. Recordings of asynchronous teaching activities should be uploaded to Canvas in a timely fashion to ensure that students have sufficient time to engage with them. It is important that students are provided with advice on the most appropriate sequence and timing of engagement with asynchronous teaching materials.
11. Any decision to opt out of recording, or to delay the uploading of recordings to Canvas needs to be considered alongside the requirements of the Equality Act 2010 and our statutory responsibility to make reasonable adjustments to eliminate disadvantage to students identified as having a protected characteristic. When making such decisions staff should take advice from Student Services and when they are made such decisions should be explained to students.
12. Recordings of teaching sessions are made for the personal use of staff and students as part of a University approved programme of study. As such, they are not intended for further dissemination, in whole, in part, or in transcript form, including via social media. Re-posting and/or re-purposing of content without the permission of the staff and students involved will be treated as being a serious matter and one that could be viewed as a breach of University regulations and may therefore be subject to disciplinary action.
13. Recordings of teaching sessions will not be used to instigate disciplinary proceedings. However, in the event that an allegation is made under the University formal disciplinary or grievance proceedings, a recording may be used as evidence in an investigation if the incident that is alleged as poor conduct occurred during (or is otherwise part of) the recording. This is on the basis that the recording is used solely for the purposes of ensuring that natural justice is respected throughout the use of that recording and that all parties comply with data protection considerations. Such issues will be subject to the relevant University staff and student procedures applicable at the time. Under such circumstances, original recordings of sessions that have been delivered live and recordings that have been edited for subsequent student use may be considered as evidence. Such issues will be subject to the relevant University staff and student procedures applicable at the time.
14. Recordings of teaching sessions will not be used for the active monitoring of staff performance. However, in the event that a question of capability is formally raised recordings can be used as evidence of a level of capability. This is on the basis that the recording is used solely for the purposes of ensuring that natural justice is respected throughout the use of that recording and that all parties comply with data protection considerations. Such issues will be subject to the relevant University staff and student procedures applicable at the time. Under such circumstances, original recordings of sessions that have been delivered live and recordings that have been edited for subsequent student use may be considered as evidence. Such issues will be subject to the relevant University staff and performance procedures applicable at the time.
15. Prior to recording participating staff and students should be informed that recording will take place and reminded of their right not to appear or to be heard if that is their wish. Opting out in this way must not be a barrier to engagement within the teaching session. A [template slide for informing students](https://share.hull.ac.uk/Services/LTE/SiteAssets/SitePages/Panopto%20vistor%20permission/lecture%20recording%20warning%20slide.pptx) of a recording is available via the TEA SharePoint site.
16. Students who are being assessed through a performance or presentation that is an explicit requirement of their University award may not opt out of the recording of that activity.
17. Where a contribution to the session is made by a guest lecturer or visiting speaker the member of staff undertaking the recording must make them aware that the session will be recorded in advance and seek their consent to be recorded. Where consent is not given that portion of the session should not be recorded and it should be explained to students that no recording of that contribution would be available. A [template consent form](https://share.hull.ac.uk/Services/LTE/SiteAssets/SitePages/Panopto%20vistor%20permission/visitor%20form.pdf) is available via the TEA SharePoint site.
18. A recording will normally be available to students for the duration of their programme of study plus one year, to allow for intercalation or suspension of studies. For example, recordings made during the first year of a three-year degree programme would still be available for one year after year three. After this time, there is an expectation that recordings will be deleted.
19. When a member of staff leaves the University, they may request that the University no longer use their recordings. Such requests should be made in writing to the appropriate Faculty Head of Operations (or equivalent) who will take action to ensure the deletion of the recording and confirm to the member of staff that this has been done, following any final assessments or reassessments relating to the module(s) that they are part of.
20. Teaching materials created and/or recorded by members of staff employed by the University are the Intellectual property of the University (full details can be found in the University IP policy).
21. The University does not consider teaching to be performance per se. However, where a recorded teaching activity includes practice that meets the definition of performance the rights to that performance are retained by the member of staff, but they will be assumed to permit the University to use the recordings during the period of their employment at the University or until their use is no longer required as per para 18 and 19. At the end of this period a member of staff will have the right to ask that the recordings are deleted should they wish to revoke the permission of the University to continue to use them as per para 19.
22. The moral rights of staff who record their teaching events are protected by this policy. Producers of teaching recordings have the right to have their work attributed to them and not to have their work subjected to derogatory treatment.
23. It is the responsibility of staff to ensure that the intellectual property rights (including copyright) of third parties are not infringed in the recorded content and accompanying materials and, if applicable, to ensure in advance that the University has full and written consent to use third party intellectual property.
24. The most likely third-party intellectual property right to be infringed is copyright. Where material authored by others is used in presented sessions, the member of staff responsible for delivery must determine whether that material is subject to copyright by considering whether the intended use is either:

* lawful under statutory exception (for example “fair dealing for purposes of criticism or review”) or because the copyright has expired; or
* Permitted by licence.

1. If neither of the above applies, the member of staff must obtain permission from the copyright holder to use it, record it and distribute it via the University’s VLE. This permission should be retained by the staff member who requested it until such time as use of the copyright material is no longer required and a copy should be sent to the Faculty Head of Operations (or equivalent), who should keep it recorded. If in doubt, it is always worth checking so please seek advice. Staff can get support in the use of third-party materials from central services including Teaching Excellence Academy and the University Library. There is an existing University of Hull guide to copyright available at <http://libguides.hull.ac.uk/copyright> in the first instance.
2. In the event of being made aware of a potential infringement of copyright, or of a potential breach of the Data Protection Act the University reserves the right to withdraw a recording. Were this to happen the member of staff responsible for the recording would be informed immediately and where it is appropriate to do so would be afforded an opportunity to edit the recording prior to it being re-released.