

Policy for the Recording and Digital Delivery of Teaching in 2020/21

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1. Introduction

- 1.1. Due to the COVID-19 pandemic, and the continuing uncertainty we face in preparing for the Autumn term, the University has committed to providing a supportive and flexible learning environment for our students. This means that our student body in Autumn term at least (but potentially for the entire 2020-21 Academic Year) is likely to include both face-to-face and remote students.
- 1.2. The approach to recording and digital delivery of teaching in this policy is designed to support and complement the [Teaching and Learning: Framework for Autumn Term 2020](#).
- 1.3. For the purposes of this Policy, which temporarily supersedes the existing [Learning Capture Policy](#) for at least Autumn Term of the 2020-21 Academic Year, the term 'Learning Capture' is the over-arching term used to describe methods for recording audio and/or video for teaching and learning activities. This includes but is not limited to recording and asynchronous delivery of activities such as lectures, presentations and screencasts for core learning content, and may include live stream sessions and/or recording of interactive teaching sessions such as small group seminars, discussions and other exercises where necessary.
- 1.4. Nothing in this Policy is intended to conflict with the academic freedom of staff members as enshrined in the University's Charter.
- 1.5. Learning Capture may be done in any suitable space, including the 'Assisted Recording Rooms' that will be available on Whiteknights campus, and may be done using PC, laptop or

suitable mobile devices. See the [Online Teaching Toolkits](#) page from Technology Enhanced Learning for guidance.

- 1.6. Learning Capture assists in the delivery of core teaching and learning activities, and, in the current context, provides a physically-distanced equivalent to some teaching activities, such as lectures, which cannot now be delivered face-to-face by traditional method. Learning capture offers all students, regardless of their circumstances, a comparable experience.
- 1.7. The expectation is that this Policy (and any supporting Requirements) will be followed by all staff engaged in teaching and learning.

2. Purpose & Scope

- 2.1. The purpose of this Policy is to ensure there is a consistent, responsible approach to all Learning Capture activities by University of Reading staff members, taking into account the pedagogical, legal, accessibility, intellectual property and data protection aspects. It aims to provide clarity on the rights and expectations of the University, its staff and students, and third parties.
- 2.2. All Learning Capture teaching and learning activity conducted by University of Reading staff members should be considered in scope of this Policy, which will be in effect up to and including its review as discussed in section 9.1.
- 2.3. The specific and overarching minimum expectations are:
 - (a) core content will be recorded so that it can be delivered asynchronously unless there is a pedagogic, professional or legal reason for not doing so, which is approved by the relevant Teaching and Learning Dean; and
 - (b) interactive teaching and learning can be recorded where necessary, and provided the legal considerations and practical steps to ensure compliance with these can be observed (see Section 5 of this Policy and [Requirements for Recording of Online Interactive Teaching Sessions in 2020/21](#)).
- 2.4. This Policy applies to video and audio recordings or live streams of teaching and learning activities made by staff members, which will only be made available to students via University approved systems for educational purposes. The University recognises that video/audio may be made using a variety of mediums, including where deemed necessary, the use of personally-owned devices. Personal devices should only be used in instances where University-issued technology or devices cannot be used for good reason, such as where staff are working remotely and do not have access to a University device. All video/audio will be subject to adherence to [University Policies](#), and in the event that personally-owned device use is warranted, this will be subject to specific requirements within the University [Bring Your Own Device Policy](#).
- 2.5. Failure of staff members to follow this Policy may result in disciplinary action.

3. Recording or Live Streams of Teaching Activity

- 3.1. The [Teaching and Learning: Framework for Autumn Term 2020](#) envisages that in general, core content and learning materials will mainly be delivered asynchronously, and could take a number of different formats, from recorded screencasts, narrated PowerPoints, and 'talking head' video.
- 3.2. Given the principles outlined in the Framework, staff members will have some flexibility to decide what non-core types of teaching and learning activities they would like to either live stream or make available through recordings, providing they adhere to the clauses outlined in this Policy. Where teaching and learning activities involve student contributions additional care should be taken to ensure compliance with [section 5](#) of this Policy, including that recording of interactive sessions is only done where necessary. The document [Requirements for Recording of Online Interactive Teaching Sessions in 2020/21](#) sets out when recording is deemed necessary, and the responsibilities of staff members in managing, sharing, editing and deleting recordings.
- 3.3. The University also has a statutory duty to make reasonable adjustments for disabled students under the Equality Act 2010, which may require some teaching and learning activities to be live-streamed or recorded that would not otherwise be, or may require provision of other material in an accessible format as a reasonable adjustment if live-streaming or recording is not appropriate, available on request of the student or where advised this is necessary by the Disability Advisory Service.
- 3.4. Staff members should make it clear to students that live-streaming or recording is taking place in accordance with section 5.2.

4. Use of Recordings

- 4.1. Recordings will not be used for performance monitoring of staff members. Recordings may be called upon in the form of evidence during the investigation of formal complaints or misconduct proceedings. Recordings of assessment may be required for internal and external verification purposes but will only be shared with those that strictly require access for the purposes of marking or verification unless agreed otherwise with the student.
- 4.2. Copying and distribution of recordings should only be done in accordance with this Policy, and recordings must only be made available to students for educational purposes. Recordings must not be published on any platforms that are not approved by the University. For example, recordings must not be uploaded to YouTube, Social media or other publicly available platforms without prior approval, as per section 4.3.
- 4.3. Except where authorised in advance by the Pro-Vice-Chancellor (Education and Student Experience), recordings of University teaching and learning activities by University of Reading staff members are not for public consumption by any means, whether on the web or otherwise. The University will not make commercial use of teaching and learning recordings without the written permission of the staff member who was recorded.

- 4.4. A staff member who becomes aware that a recording may contain false, defamatory or copyright-infringing material should notify [Legal Services](#) without undue delay, via email: legalservices@reading.ac.uk or telephone: 0118 378 6742. The University reserves the right to withdraw or edit a recording if necessary. If a staff member is concerned about their own material they should seek further advice from Legal Services, and for further information about what may constitute problematic content in recordings, refer to guidance on publishing audio-visual content from the Information Management and Policy Services (IMPS) webpages.
- 4.5. Upon leaving employment at the University, former employees will not be entitled to use any recordings in which the University owns Intellectual Property rights, unless the written permission of the University has first been obtained. The University will be entitled to continue to use recordings for the purposes set out in this Policy.

5. Data Protection

- 5.1. Any Personal Data held in recorded content will be processed in accordance with the General Data Protection Regulation (GDPR) 2016, Data Protection Act 2018 and all applicable data protection laws.
- 5.2. University staff members or third parties (including but not limited to visitors) delivering teaching to be recorded must:
 - Consider whether recording meets one or more of the criteria necessary to record sessions, as specified in the document [Requirements of Recording of Online Interactive Teaching Sessions in 2020/21](#).
 - Consider whether sessions could be structured so that discussions likely to involve any sensitive content, or significant audience participation, such as pre-planned question and answer sessions, take place at the end of the session after recording has been turned off. Where available, breakout rooms or separate channels which are not recorded can be considered for activities that involve student interaction, enabling, for example, recorded lecture slides or webinars, to be made available separately.
 - Inform those in attendance that a recording is taking place. This can take the form of either or both of the following, as appropriate based on the accessibility needs of the audience:
 - Information provided to students in advance of the session, for example via email or details on the VLE
 - An announcement made at the beginning of the session to advise that recording is taking place.
 - Make attendees aware of who they can contact in the School if they have a concern about being included in any recording.

- Should a student have a personal concern regarding the publication of recorded content, these should be considered prior to making available to others.
 - Contact the Data Protection Officer if any attendees raise a concern or complaint relating to data protection or privacy (email: imps@reading.ac.uk or telephone: 0118 378 8981)
- 5.3. Staff members will be responsible for ensuring that all teaching and learning activity that is recorded or live-streamed meets the requirements set out in the University's [Policy on Inclusive Practice in Teaching and Learning](#).

6. Intellectual Property

- 6.1. Staff members are reminded that unless certain exceptions listed in their employment contract apply, intellectual property created during the course of employment is owned by the University. Staff members must comply with their contract of employment and the provisions of the [Code of Practice on Intellectual Property](#), including in relation to live-streamed and recorded content. It is the responsibility of individual staff members to ensure that their use of third party copyright-protected material within Teaching and Learning materials is fair and reasonable when relying on a statutory copyright exception under UK law (a legal defence to a claim of infringement).
- 6.2. The University recognises that reliance upon applicable copyright exceptions, such as fair dealing for the purposes of illustration for instruction and fair dealing for the purposes of quotation, is fundamental to normal pedagogical practice in the physical and virtual classroom. Staff members should be aware that such exceptions enable the reasonable reuse of third party copyright-protected content – including but not limited to text quotations, images and video clips – in circumstances that do not conflict unduly with the interests of copyright owners or the ‘normal exploitation’ of their work (e.g. the expectation of charging reproduction fees for commercial stock photography).
- 6.3. In the context of non-commercial teaching delivered synchronously or asynchronously via a secure, password-protected Virtual Learning Environment accessible only to students of the University who are formally enrolled on a programme of study to which the teaching relates, the unlicensed reuse of third-party copyright-protected content is unlikely to infringe as long as:
- accompanying acknowledgement of the author/creator or the title/source is included (except where this would be impossible, for example because the work is anonymous);
 - it supports a teaching point or critique, or is quoted for a specific purpose; and
 - it is not excessive, or more than is necessary to make your point.
- 6.4. With the exception of very short indivisible works used under the conditions specified above, the screening of entire audiovisual works must not be captured within recordings created for asynchronous delivery.

- 6.5. Where guest contributors, including students, are invited to teach or otherwise be involved in the delivery of a session, written consent must first be obtained from those individuals. It is the responsibility of the staff member who is hosting the guest contributor(s) to obtain this prior written consent and they should refer to the IMPS webpage on [Image Release Forms](#) for further detail and the relevant form. Copies of completed forms should be retained by the relevant School for the duration the recording remains available.
- 6.6 In accordance with the Code of Practice on Intellectual Property, Teaching and Learning materials developed by staff in the normal course of their duties while employed by the University, or otherwise created in the course of their employment, are owned by the University; including the copyright in any broadcasts or recordings that are the subject of this policy.

7. Storage, Retention and Availability of Content

- 7.1. Recorded content will be subject to a retention schedule. Please refer to the Retention Schedule for Recorded Content on the IMPS website.
- 7.2. Recordings should not be made available for public consumption, unless explicit consent has been granted by the person or persons recorded and approval has been given by the Pro-Vice-Chancellor (Education and Student Experience) as per section 4.3 of this Policy.
- 7.3. Recordings will be made available through approved University systems to ensure access is only for authorised staff members and students, and should not be available on any public website.
- 7.4. Recorded or live-streamed content should be made available to the intended audience at a time and frequency that meets the requirements/learning outcomes for the course module. If content is not made available when expected due to exceptional unforeseen circumstances, this should be communicated to students as soon as possible.

8. Editing & Withdrawal

- 8.1. The staff member who is the creator of the recording has the right to edit the recording by removing parts of it to protect individuals or in relation to issues around inaccuracy, defamation or copyright-infringing material as previously referenced. It is not a requirement that recordings will be edited prior to being published otherwise, but if staff members or students would like a recording to be edited they should request this from the creator.

In the creator's absence, this request should be made to the designated School contact. Once a recording has been published, it can still be edited for any reasonable purpose, provided the reason for the edit is adequately communicated by the staff member to the intended audience of that recording. System administrators may also edit recordings at any point where there is a legal or other policy reason for doing so.

- 8.2. The University retains the rights to withdraw a recording at any time if concern is raised due to potential infringement of copyright, data protection, any other potential legal issue, or

public exposure of commercially sensitive information and that concern has been reviewed by Legal Services.

9. Ownership and Review of Policy

9.1.

This Policy is effective from the date approved in section 10 below and will be reviewed by the Sub-Committee on the Delivery and Enhancement of Learning and Teaching during Spring term 2021. Following such review, it will either be extended without amendment for a defined period of time, extended with amendments for a defined period of time, or it will cease to have effect. At the point that it ceases to have effect, the pre-existing [Learning Capture Policy](#) (or such other Policy as may be approved by the UBTLSE) will be in force.

10. Document Control

Date Approved:	13/7/2020
Policy Effective From:	2020/21
Next Review:	Spring Term 2021
Approving Authority:	UBTLSE and University Executive Board
Consultation:	Legal IMPS RUSU Learning Capture Policy & Guidance Working Group
Responsible for Policy Maintenance & Review	Sub-Committee on the Delivery and Enhancement of Learning and Teaching
Related Policies, Procedures, Guidelines and Regulations	Requirements for Recording of Online Interactive Teaching Sessions in 2020/21 Retention Schedule for Recorded Content (IMPS) Privacy Notice – Recording of Teaching and Learning Content 20/21 (IMPS)