Learning and Teaching Capture Policy

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Middlesex University

Learning and Teaching Capture Policy

Introduction

1. Middlesex University ('the University') is committed to providing an inclusive learning environment that supports all students. The University recognises the diversity of its student body and aims to design learning, teaching and assessment in ways that remove barriers to participation and success.

2. The University recognises that under the Equality Act (2010), reasonable adjustments may be required to ensure equal access to educational opportunities for all students, regardless of their disability status, whilst ensuring that the University meets its commitments to confidentiality.

3. As part of this commitment, the University facilitates the use of personal audio recording devices and the use of 'Learning and Teaching Capture'; the process through which live learning and teaching activity is captured and shared with students through the online learning environment (OLE).

4. The University recognises that local legislation and practices may mean that this policy cannot be implemented fully for international branch campuses. In such instances, local legislation and practices will take precedence over this policy.

5. The University does not expect partners to record activity in line with this policy, however, the University does expect all partners to make provision for students with disabilities or learning differences to ensure equity of access, and this may be through recorded learning and teaching activity.

6. The purpose of this document is to set out the policy and practice for the recording of learning and teaching activity. This includes:

a. The principles for the recording of live delivery, and where there may be reasonable exceptions to recording taking place.

b. Guidance for students and staff and any additional needs for recording under reasonable adjustments and through individual learning support plans.

c. The use of captured data.

d. The use of recorded material in the performance management of staff and in the case of any complaints from students or staff.

e. Clear expectations for the reasonable use and sharing of any recorded materials.

f. Access to recordings.

g. Copyright, intellectual property and retention of recorded learning and teaching activity.

7. Guidance on the practice of recording content is provided by the Centre for Academic Practice Enhancement (CAPE).

Principles

8. The University recognises that reliance on lectures as a mode of delivery is becoming less common, however where these are used, normally, these should be recorded and shared with students following live delivery on campus.

9. As standard, audio recording of a learning and teaching session should be produced, for appropriate activities. Where digital resources are included in delivery, the screen should also be captured wherever possible, or content uploaded to the OLE alongside the audio recording.

10. Where a student has an individual learning support plan, additional reasonable adjustments may include the recording of tutorials and academic advising sessions.

11. The University's practices in relation to learning and teaching activity recording is in alignment with guidance published by the Disability Rights Commission (DRC), National Teachings in Further and Higher Education (NAFTHE) and Disability Rights UK. Therefore, the University recognises that:

a. not all learning and teaching activity is appropriate for recording, e.g., this includes in-class discussion of sensitive content or ethical issues. Where this activity takes place, it is reasonable for recording of activity to be explicitly flagged as not recorded, or the recording to be paused and then restarted.

b. learning and teaching activity focused on the development of practice-based skills, e.g., clinical skills sessions, may not be appropriate for recording due to the nature of delivery.

c. staff are not expected to change the delivery mode of a learning and teaching activity to make it suitable for recording if this would negatively impact the academic experience of students present.

d. where seminars and tutorials are recorded, they should only be made available to those students assigned to that learning and teaching activity and should not be released to other seminar groups within the cohort, or future cohorts.

e. technology may fail and so prevent the learning and teaching activity from being recorded.

f. where, as part of delivery planning, whole learning and teaching activities are identified as being unsuitable for recording, these should be clearly highlighted in timetabling and module guides. In such instances, alternative additional resources should be made available to students to support and enhance learning and understanding.

Additional reasonable adjustments

12. Students may self-refer or be referred to support staff within the University or the University's partners to discuss any specific individual needs. These specific needs may include

the use of personal recording beyond those covered in this policy.

13. Where personal recordings are made, students are advised that:

a. any recording may only be made for personal use, and should not be shared with other individuals, except for transcription.

b. recordings may not be published, reproduced, given or sold to anyone, or uploaded or posted on any social networks.

c. personal recordings must be deleted on completion of programme study.

d. lecturers may ask for recordings to be suspended temporarily during a learning and teaching activity, or for the entirety of a scheduled activity where recording is not appropriate.

e. it is a courtesy to ask the lecturer, whether it is acceptable to record the learning and teaching activity. It is also a courtesy to seek consent of fellow students before recording small group activities or tutorials. Where fellow students do not give consent, all steps must be taken to respect the wishes of the student(s) and position personal recording equipment accordingly or pause recording.

f. no recording can be made of materials used within a lecture where copyright is held by a third party, e.g., film, music or other broadcast material, unless the circumstances would be permitted under the Copyright (Visually Impaired Persons) Act 2002.

Use of data

14. Data derived metrics may be used by the University to support the preparation of submissions to OFSTED, Teaching Excellence Framework (TEF) or other regulatory requirements.

Use of recordings: sharing and reuse, performance management and complaints

15. The purpose of recordings is to support students taking a module and for educational purposes only.

16. Recordings are only made available for learners enrolled onto the module, and for the cohort for which the recording was made.

17. Students with access to the recording may not share the recording without permission of the lecturer. Any breach of this will be subject to disciplinary action as detailed in the University's General Regulations for students.

18. Staff with access to recordings should not share the recording without permission of the lecturer.

19. Lecturers may choose to share their recordings with colleagues external to the University for the purposes of academic collaboration and / or public engagement or as open educational resources. In such cases, the lecturer must seek consent of any students or other contributing

individuals and ensure that the recording and any content is in compliance with copyright legislation (see the Copyright Policy).

20. Lecturers should ensure that the recording is made available to students within three working days of the learning and teaching activity taking place. The link should be published within the appropriate module or unit folder of the OLE.

21. Recordings may be used by staff as part of peer review and teaching observations, or for personal reflections on performance. They may also be used as part of evidence of good teaching practice, for example in applications for promotion or Fellowship of AdvanceHE.

22. The University will not use recordings for the purposes of performance management, or in disciplinary proceedings, except in the case of alleged gross misconduct (as defined in the University policy), and where the recording may provide relevant evidence.

23. Recordings may not be used to cover staff absence where staff are exercising their legal right to take industrial action, without the consent of the lecturer.

24. Recordings may not be used by a student when making a complaint unless the recording provides specific evidence of a particular event which is referenced in the complaint.

The practice of learning and teaching activity capture

25. Software to facilitate the capture of learning and teaching activity is available for staff to use in teaching spaces of the University. Information and guidance on making recordings is published online.

26. Lecturers should ensure that students present are aware the learning and teaching activity is being recorded. This information should be shared in module guides, timetables and / or through an announcement at the beginning of the activity.

27. Explicit permission must be sought from visiting guest speakers and other non-University staff. A data authorisation form should be completed.

28. Lecturers are not expected to edit all recordings before making them available to students via the OLE, however, they should be aware of any content which may breach the General Data Protection Regulation (GDPR) or could be considered sensitive or offensive and manage content or recordings accordingly.

Access to recordings

29. Access to recordings made as part of learning and teaching activity at the University is via the OLE. Access to taught modules is controlled through enrolment to the corresponding module in the OLE.

30. By default, access to recordings requires a University username and password to view the content. Students are able to view the recordings saved to modules on which they are enrolled for a period of three years plus one year after graduation, or until their account is closed, whichever is sooner.

31. Teams including the Product Management Team, and Digital Skills Team in Digital and Library Services are able to access, view and manage all recordings made using the learning and teaching activity software.

32. Employees of software providers may need to view recordings in order to provide support to the University. Access to the University's data by staff from third party providers is covered by their privacy policies.

Copyright, intellectual property and data management

33. All material recorded as part of learning and teaching activity capture is subject to copyright. Third party materials should only be included if their reuse constitutes fair dealing (see Copyright Policy, and additional guidance published on the reuse of third party materials.)

34. The University expects all users to abide by the laws of copyright and fair use; use of third party materials in any presentations or teaching activities must adhere to UK copyright law, and to University guidance.

35. Staff are responsible for ensuring any material used does not breach copyright, and are expected to seek approval and amend accordingly, or take down promptly if found to be in breach.

36. The University has the right to take down any recordings that have taken place without consent or that breach other University or UK policies.

37. Recordings should not include any personal data. Where this is unavoidable, and for valid reasons, the personal data must be kept in accordance with the University's Data Management Policy and in adherence with data protection principles.

38. The University owns all learning and teaching materials developed by staff (full time or part time) that are developed during the normal course of their duties as an employee, and or are produced in connection with an institution run module or programme (see Intellectual Property Policy).

Retention period

39. Learning and teaching activity recordings will be kept in line with the data retention schedule for Education and Student Experience and / or Digital and Library Services. The retention schedule states that recordings will be kept in the module they are recorded for three years plus one year post graduation.