



# HARTPURY

## Hartpury Teaching Recording Policy

### Introduction

Hartpury seeks to enhance the student learning experience by allowing students to record taught sessions and/or by providing recordings of taught sessions. For example, students can currently request to record audio, take photographs, and record video for their own personal learning during teaching. Lecturers are encouraged to record scheduled contact learning that occurs online to ensure accessibility at a later date.

Teaching content and any recording produced by the lecturer, remain the intellectual property (IP) of Hartpury as per the *Hartpury Intellectual Property Rights Policy*<sup>1</sup>. It is important therefore that all involved parties understand what is deemed as appropriate use of recordings. Similarly, it is important that students understand the limitations on how they are able to use the recordings they make.

### Purpose

To provide clarity and guidance on the rights and responsibilities of the Hartpury Staff and Students, as well as external visiting lecturers and speakers during excursions relative to recording teaching. It also encompasses any resources recorded for the purpose of flipped classrooms, blended learning courses or revision.

### Scope

The policy intends for teaching in whatever format this takes to remain a safe place for the exploration and discussion of potentially controversial ideas between academic staff and students on a programme of study. Hartpury will take the unauthorised sharing of recordings of teaching by students or staff very seriously.

### Objectives

Highlight appropriate and inappropriate conduct associated with the recording of teaching materials.

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<sup>1</sup> <https://www.hartpury.ac.uk/media/5355/hartpury-intellectual-property-policy.pdf>

## Use of recordings

Hartpury strives to provide recordings of teaching to facilitate learning, especially where physical attendance is not possible. Guidance will be provided to students on how to use the recording to enhance the learning experience, for example via the scheme of work and/or an announcement via the Virtual Learning Environment.

A recording should not be promoted as ongoing replacement for physical attendance by students where this is an option. This also relates to the use of recordings by students who use digital technology to record lectures beyond what is provided by Hartpury.

Where the student wishes to record teaching, they must in the first instance ensure they have gained approval from the lecturer delivering the session.

Hartpury will provide a privacy notice to those being recorded prior to the start of recording, about the nature and purpose of recording including how it will be re-used, how long it will be kept for and to whom it will be disclosed or shared with. Each student may own rights in their individual contribution and consent will be required for the recording itself and its further use unless students can access a safe space (i.e. a location away from the camera, the opportunity to pause recording) so that students can contribute during the session without being captured in the recording.

Hartpury will be responsible for gaining consent to record sessions delivered by a visiting lecturer and make recorded sessions available subsequently. Students should not assume this has been gained if there no explicit guidance is provided on recording sessions delivered by a visiting lecturer.

Recording sensitive personal data as defined by current *General Data Protection Regulations*<sup>2</sup> must not take place without the explicit written consent of the person(s) to whom the data relates.

Access to any recording provided by Hartpury will be restricted to the Virtual Learning Environment and remain the IP of Hartpury (*Hartpury Intellectual Property Policy*). A recording taken by a student and those provided by Hartpury should not be shared any further or published anywhere else.

The following uses are permitted under this policy:

- i. A student may only use a recording for the purposes of their own personal study, once approval to record has been granted by Hartpury. The student must destroy any copy of the recording they hold once this purpose has been met. This will be no later than the date from which enrolment on a programme of study at Hartpury ceases.
- ii. A lecturer may use a recording of their own lectures for the purpose of self-reflection and personal development; to facilitate peer observation of their teaching; or if they are investigated under the *Disciplinary and Dismissal Policy & Procedure*.
- iii. Hartpury may use a recording within the scope of an investigation in accordance with *the Academic Regulations Appendix*<sup>3</sup> (*Fitness to Study and Reside*).

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<sup>2</sup> Article 9 Paragraph 1 of the General Data Protection Regulation: "...personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation..."

<sup>3</sup> <https://www.hartpury.ac.uk/media/6699/hartpury-academic-regulations-2019-20.pdf>

iv. Hartpury may elect to use a recording held on the Virtual Learning Environment in exceptional circumstances to ensure provision continues for the students, for example, significant disruption caused by a pandemic or other natural event.

Any other use of a recording will require further, separate agreement between those with rights in the recording. This will include:

- Use of a recording as an open educational resource where the IP belongs to Hartpury (see also *Hartpury Intellectual Property and Rights Policy*). If approved, these should have appropriate modifications and safeguards, including an appropriate attribution, licence, and having obtained any permissions required from other participants or third parties whose IP resides within the recording.
- Use of recordings by Hartpury for staff review or disciplinary processes, which will only occur with the lecturers' permission, except in the case of alleged gross misconduct.
- Use as a replacement for intended staff presence in during teaching unless the lecturer consents to this use (e.g. staff absence, room overspill).
- Use as a replacement for student attendance – any recording made to assist absent students should be approved by the lecturer and remains the property of the person who made the recording whose consent should be sought before the recording is shared.
- Use of a recording as a routine mechanism for managing clashes of timetabled lectures or planned non-attendance.

### **Participant and Hartpury rights**

It shall be a misconduct offence to use, modify or distribute recordings without permission, including, copying the recording, issuing copies of it to the public via social media or other form. An employee or student using, modifying or distributing a recording without permission may be investigated under the *Disciplinary & Dismissal Policy & Procedures*, or the *Fitness to Study and Reside appendix appearing in the Academic Regulations*.

Site permission must be gained for all recordings on Hartpury campus using onsite commercial provision. This might include for example:

- A student practical run at the Equine Therapy Centre when *Hartpury* must seek approval from the service provider, or;
- A student wishing to video a therapy session for the purposes of study in which case the *student* must seek approval from the service provider.

If an external company is included for the purposes of teaching, or if any videoing for teaching purposes is conducted in the facilities of an external company (on or off site) Hartpury is responsible for ensuring that any permissions required are appropriately obtained (for example, asking the owners of the business).

Hartpury recognises there are sometimes situations where all or part of teaching should not or cannot be recorded. This must be clearly explained to students attending the session. Examples of these could be:

- Where teaching approaches are used that may not be suitable for recording, such as those with a high degree of interactivity or those including animals;
- There may be legal, ethical or privacy reasons for not recording part or all of a lecture and the lecturer should request student recording to cease at this point.

Where visiting lecturers are used within a module, consent will be gained to record the session by Hartpury, which will be communicated to the students in advance of the session.

Students should not be lead to assume that they can record these lectures as per previous module arrangements.

Students registered on a taught degree programme at Hartpury will normally own any IP they create subject to the exceptions appearing in the *Hartpury Intellectual Property and Rights Policy*, therefore consent should be gained where applicable before it is included within a recording. Where teaching includes reference to additional participants their names should be included in the introductory slide to consolidate this right.

If a recording is to be provided by Hartpury for the purpose of learning then all students who do not consent to be part of the recording should be allocated space outside the field of view and away from the microphone. Hartpury must provide a privacy notice prior to the start of recording to ensure students are aware of this option. Lecturers must adhere to all aspects of the safeguarding policy during teaching in whichever form this takes.

### **Accessibility**

Recordings made by lecturers must not breach equality legislation and must comply with relevant Inclusive Teaching and Learning guidelines. Access to recordings provided by Hartpury must be via Moodle, even when they have been created or accessed using MS Teams, MS Stream and Planet eStream. Recordings taken by students must not be accessible to any other party.

The Equality Act 2010 places an anticipatory responsibility on Hartpury in making reasonable adjustments to its services. A recording provided by Hartpury should have a transcript function enabled. Additional resources are available to students via Hartpury to enable further access to these transcripts.

Where recording is prohibited, lecturers must discuss equal quality alternatives with students who use recording equipment as part of their learning support needs.

### **Third party copyright**

Staff, students and visiting lecturers presenting material in a student or Hartpury recording must ensure that they do not infringe third-party copyright. Use of third party materials may fall within the "fair dealing" exception if used for the sole purpose of illustration for instruction. Virtual Learning Environment material should link to the external licenced material separately. Hartpury provides advice to staff on potential copyright infringement<sup>4</sup>, via the Information Governance Team.

As per Inclusive Teaching and Learning guidelines, University staff should provide citations for all material used as per relevant referencing guidelines.

### **Security and retention of recordings**

Lecture recordings placed on the Virtual Learning Environment will be archived along with Moodle pages at the end of each academic year.

If an embedded recording/link is deleted from Moodle this is only removing a link to the original file which may be stored on a separate platform (e.g. Planet eStream/Microsoft Stream).

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<sup>4</sup>[http://staff.hartpury.ac.uk/sites/BS/Digital\\_Services/Learning\\_Resources/LR%20Shared%20Information/Copy\\_right.pdf#search=copyright](http://staff.hartpury.ac.uk/sites/BS/Digital_Services/Learning_Resources/LR%20Shared%20Information/Copy_right.pdf#search=copyright)

Where access to the recorded material is removed prior to the end of a module, students should be informed of the decision and pedagogical alternatives provided if necessary to ensure parity of student experience.

In the event of a lecturer's employment with the University ending, the recordings made for students can be used by Hartpury for student learning but not external to the institution.

## **Glossary**

The following terms defined here are emboldened within the policy:

**HARTPURY** = an overarching term that can relate to both College and University as an institution, or academic staff or management staff, relative to the context within it is used.

**INTELLECTUAL PROPERTY (IP)** = the productions of original intellectual or creative activity.

**TEACHING** = pertains to taught sessions occurring within the timetable including lectures, workshops seminars, practical sessions, tutorials, flipped resources and on-line live delivery and forums, discussion and live chat.

**PARTICIPANT** = an individual with intellectual property that has or could be shared during any aspect of the recording, including the University, the lecturer and any other contributor to a discussion within the lecture.

**RECORDING** = using any type of technology to capture spoken word delivered by academic staff, guest speakers, visiting lecturers, or fellow students.

**THE LECTURER** = the academic staff member responsible for the delivery of lecture content.

**VIRTUAL LEARNING ENVIRONMENT (VLE)** = Hartpury's current main VLE platform is Moodle, however both Microsoft Teams and Planet eStream are used to support teaching, learning and assessment and have the capacity to record and store lecture recordings. Microsoft Stream stores recordings of all online meetings and lectures carried out on Microsoft Teams.

**VISITING LECTURER** = a peer visiting from a different academic institution or representing industry, who has been invited to deliver a timetabled session at Hartpury.

## **Reference to Other Policies**

*Hartpury Intellectual Property Rights Policy*

*Disciplinary and Dismissal Policy & Procedure*

*Academic Regulations Appendix (Fitness to Study and Reside)*

## **Equality, Diversity and Inclusion**

As with all Hartpury policies and procedures, due care has been taken to ensure that this policy is appropriate to all members of staff regardless of their age, disability, ethnicity, gender, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation and transgender status.

The policy will be applied fairly and consistently whilst upholding Hartpury's commitment to providing equality to all. If any employee feels that this or any other policy does not meet this aim, please contact the HR Department.

Hartpury is committed towards promoting positive mental health by working towards the MINDFUL EMPLOYER Charter. Hartpury aims to create a culture of support within the workplace where employees can talk about mental health problems without the fear of stigma or discrimination.

### **Approval and Review Cycle**

Date Last Approved	N/A
Policy Owner	Head of Inclusivity
Approving Committee	SMT/Executive
Status	Approved
Effective from	01 September 2020
Next Review Date	August 2021