

Approved by: Academic Board	Effective date: 1 st August 2023	Next review: 31 st July 2026
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Policy statement

This policy sets out to define the University's expectations of its staff in relation to the use of Digital Learning Capture (DLC) for the purposes of delivering a high quality and inclusive student learning experience.

Who needs to know about the Policy?

- Deans of Faculty and Pro Vice-Chancellors
- Heads of School and Department
- Teaching Staff
- Students

Purpose of the Policy

The purpose of this policy is to outline what is expected of its staff in relation to the digital capture of teaching sessions through any University-supported platform, including ReCap (powered by YuJa), Class Collaborate, and Microsoft Teams.

Digital Learning Capture has many pedagogic benefits and, in accordance with the University's obligations under the Equality Act 2010, its use can help to facilitate an inclusive learning environment of benefit to all. Subject to the points set out below, **the University expects staff to record all lectures where recording facilities are available**, and encourages the recording of other formal teaching sessions, where pedagogically appropriate.

The University recognises that:

- In some circumstances, teaching style (e.g., small group discussion) and/or subject matter (e.g., ethical or sensitive issues) may render the recording of teaching activities inappropriate. In such circumstances, staff are encouraged to use the pause/resume facility so that capture of direct teaching input is not negatively affected.
- Where Digital Learning Capture is not appropriate, teaching staff should provide suitable alternative learning materials and advise students why the lecture is not being recorded.
- Recordings will only be used for the agreed purposes and will only be made available as set out below.

Contacts

Learning and Teaching Enhancement (LTE) is responsible for:

- Providing advice, guidance, and support on Digital Learning Capture in practice.
- Managing housekeeping and retention processes concerning ReCap.

The team can be contacted by emailing: LTE-ADMIN@canterbury.ac.uk

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1. Purpose and Principles

- 1.1. The University is committed to ensuring that all students experience an inclusive curriculum, and that all students can demonstrate their full potential.
- 1.2. The University recognises the benefits to every student of the ability to revisit all or part of any recorded teaching session.
- 1.3. The core principle underlying this policy is that all students should have access to learning from all teaching sessions regardless of whether they are able to physically attend.
- 1.4. This policy is underpinned by the University's key principles for blended delivery where the use of Digital Learning Capture can facilitate consistent, accessible, engaging, supportive, and adaptable learning environments.
- 1.5. Digital Learning Capture is a valuable resource for students and can be beneficially used:
 - 1.5.1. To aid students who have accessibility requirements or educational needs.
 - 1.5.2. As an aid for revision or post-lecture review.
 - 1.5.3. To enable complex ideas or concepts to be revisited and reflected upon.
 - 1.5.4. To support students who are unable to attend a lecture (e.g., due to illness or a caring responsibility).
 - 1.5.5. To support students for whom English is not a first language.
 - 1.5.6. To provide the benefits and flexibility of blended and distance learning.

2. Scope

- 2.1. This policy sets out to define the University's expectations of its staff in relation to the use of Digital Learning Capture.
- 2.2. This policy covers the digital capture of lectures and additional teaching content, in both face-to-face and online settings, recorded through any platform currently supported by the University¹.
- 2.3. This policy includes important guidance related to accessibility requirements; issues surrounding consent, rights, and Intellectual Property; and protocols for the security and retention of recordings.
- 2.4. This policy addresses the conditions under which recordings of lectures may be made by students.
- 2.5. This policy applies to all University staff, students, and guest speakers, replacing any previous guidance pertaining to the use of recordings within learning, teaching, and assessment.

¹ ReCap (powered by YuJa), Class Collaborate, and Microsoft Teams.

3. Definitions

- 3.1. A *lecture* refers to a scheduled and live-taught session dedicated to information transmission by method of an academic staff member presenting to students.
- 3.2. A *recording* is an audio or video recording made directly from a live performance (either in person or online), a broadcast of that performance, or made from another recording of it.
- 3.3. A *formal teaching session* refers to a planned and structured event in which an academic member of staff imparts knowledge or skills to a group of students. This may be in the form of a lecture, a seminar, a workshop, a training session, or a laboratory session, and may take place in a face-to-face setting, online, or through a combination of the two (e.g., HyFlex delivery).
- 3.4. *Additional content* refers to any recorded materials created by a member of University staff outside of a live-taught classroom environment for the purpose of expanding or enhancing the learning process and/or imparting knowledge, information, or skills. Such content may be created for academic or non-academic purposes (e.g., for training or instructional purposes).
- 3.5. A *recording made for assessment purposes* refers to either a staff-initiated recording of a student presentation or performance, or a student-initiated recording submitted to the Virtual Learning Environment for the purposes of assessment.
- 3.6. *Digital Learning Capture* refers to the use of instructor- and student-created audio and/or video content for the purposes of enhancing learning and teaching practices, and developing blended and online pedagogies. This includes, but is not limited to, recordings of lectures or other formal teaching sessions, recordings made for the purpose of reflection, assessment, and feedback.
- 3.7. A *student* is any person registered as a student of the University, or following any course(s) as if they were such a student.
- 3.8. A *member of staff* includes all employees of the University, without exception.
- 3.9. A *module instance* is a single implementation of teaching for that module towards a single group of students e.g., a module taught during Advent Semester and taught again to a different set of students during Easter Semester would be considered as having two instances of the module being taught during that academic year.
- 3.10. A *performance* is defined by CCCU as a dramatic or musical performance, a reading or recitation of a literary work, a performance of a variety act or any similar presentation, including the delivery of lectures and other teaching approaches. The performance must be live but does not need to be public, nor does it require an audience.

4. Policy on Recording of Lectures and other formal teaching sessions

- 4.1. Staff are *required* to record and publish all lectures where recording facilities are available², including those delivered online³, within the constraints set out in 4.4.
- 4.2. Staff are *encouraged* to record and publish other formal teaching sessions, such as seminars and workshops, where pedagogically appropriate.
- 4.3. Where a student's Learning Support Plan (LSP) requires the availability of a recording, the formal teaching session must be recorded, or – as noted in 8.1 – the affected student(s) will be permitted to make a personal audio recording of the formal teaching session.
- 4.4. The University acknowledges that:
 - 4.4.1. Some lectures or other formal teaching sessions may not be appropriate for recording (e.g., due to ethical issues or the use of commercially sensitive material). In such circumstances, staff are encouraged to use the pause/resume facility so that capture of direct teaching input is not negatively affected.
 - 4.4.2. Not all teaching methodologies are suitable for recording (e.g., laboratory demonstrations, sessions with audience discussion and participation, or sessions involving group activities). In such circumstances, in order to fulfil principles 1.1 to 1.5 of this policy, teaching staff should provide an appropriate pedagogic alternative (e.g., pre-recorded material and/or additional materials via the Virtual Learning Environment)⁴ to be published within the same timeframe as a recording would be published, as specified in 4.5.
 - 4.4.3. A requirement to change a preferred or innovative teaching approach to accommodate recording may be to the detriment of the student learning experience. In such circumstances, the University acknowledges that Digital Learning Capture may not adequately capture all aspects of the chosen teaching approach.
 - 4.4.4. Reasonable adjustments may be required for staff with disabilities.
- 4.5. Recordings should be published within 48 hours of the lecture taking place.
- 4.6. Should staff wish to request an exemption from the recording of lectures for ethical and/or other valid reasons listed above, they must engage with the Course Director and Faculty Director of Learning and Teaching to discuss options for alternatives before seeking approval from their Head of School. This should ensure that, in line with the University's aim of promoting an inclusive learning and teaching environment,

² The ReCap service is available in all appropriate teaching spaces across our campuses, this includes provision for screen and audio capture.

³ Where online lectures are delivered through any University-supported platform, including Microsoft Teams and Class Collaborate, or delivered in a hybrid capacity using such platforms (e.g., HyFlex teaching).

⁴ The Department for Learning and Teaching Enhancement (LTE) can provide advice and guidance on suitable pedagogic alternatives appropriate to teaching style, subject matter, and disciplinary area.

and its obligations under the Equality Act 2010, no student is negatively affected as a result. If lectures are not recorded, this should be communicated to students in advance.

- 4.7. Recordings of lectures and other formal teaching sessions are provided to supplement and enhance the student learning experience, and not as a replacement for student contact hours.
- 4.8. By default, all recordings will only be made available to students registered on the instance of the module for which the recording was made. Staff may make recordings more widely available but will need to have permission from all Performance Rights holders before doing so (see section 9).
- 4.9. As standard, recordings will be retained for the period of the academic year within which the recording was made plus two additional academic years, unless a copyright licence/clearance specifies a shorter duration. This is to ensure that students on a typical three-year course will retain access to recordings for the duration of their studies. Access to recordings will be restricted to the cohort for whom the recording was originally made, unless requested by staff in line with section 4.8. Recordings may be kept for a longer duration of time at the discretion of the lecturer.
- 4.10. Recordings will be made available to students in an online streaming format. The recording owner may provide access to a downloadable version of the recording where necessary.
- 4.11. Technical (Audio Visual) support in the use of the institutional lecture capture system and associated recordings will be provided for staff by Information Technology (IT). Guidance and regular scheduled training opportunities in use of the lecture capture system will be provided for staff throughout the academic year by the Technology Enhanced Learning (TEL) team or upon request.
- 4.12. Within the Course Handbook, students should be informed:
 - Of timescale for when lecture recordings will be made available to students (see section 4.5).
 - That lecture recordings are not intended to replace attendance at live lectures.
 - That recorded material is being provided solely for the purposes of personal study and must not be reproduced or distributed to any third party and must not be made available on any external website or social media channel. To do so, or to make any other inappropriate use of recorded material, is a disciplinary matter.

5. Policy on Recording of Additional Content

- 5.1. Whilst the recording of additional content has many pedagogic benefits, the decision to make such recordings is at the discretion of individual staff and/or dependent upon local contexts.
- 5.2. The timing guidelines in section 4.5 do not bind recordings of additional content. Recordings need publishing following School or departmental policies, subject to the constraints set out in section 9.
- 5.3. When used in academic settings, additional content recordings are provided to supplement and enhance the learning experience, and not as a replacement for student contact hours.
- 5.4. Additional content recordings made for *academic* purposes (e.g., module introductions or assessment summaries) will, by default, only be made available to students registered on the instance of the module for which the recording was made. Staff may make recordings more widely available but will need to have permission from all Performance Rights holders before doing so (see section 9).

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- 5.5. Additional content recordings made for *non-academic* purposes (e.g., staff development or training) will, by default, only be made available to the recording owner in the first instance. Additional viewers can be added at the discretion of the recording owner, subject to permission from all Performance Rights holders being obtained (see section 9).
- 5.6. As standard, recordings of additional content (in both academic and non-academic settings) will be retained for a maximum period of ten years from the date the recording was made⁵, unless a copyright licence/clearance specifies a shorter duration.

6. Policy on Recording of Assessment Presentations and Performances

- 6.1. Recordings of student presentations and performances for assessment purposes (as defined in 3.5) may be required by the University for academic purposes. Academic staff responsible for the assessment are similarly responsible for the recordings made. These will only be shared with relevant staff or external examiners/assessors for academic review, and may not be distributed to students, other than those being recorded, without the express permission of the student(s) being recorded.
- 6.2. In line with the [Item 335U of the Office for Students Conditions of Registration](#), recordings made for assessment purposes will be retained by the University for five years beyond the end date of the course to which they refer.
- 6.3. Recordings made for assessment purposes are subject to the copyright policy detailed in 9.15. Guidance can be obtained through the University Library.
- 6.4. Should there be requirement to retain recordings of assessments longer than the standard retention period (see 6.2) for academic or inspection/audit purposes, those recordings will be retained in line with the General Data Protection Regulation (GDPR) and the CCCU Student Privacy Notice, which can be found at the following link: <https://www.canterbury.ac.uk/university-solicitors-office/data-protection/privacy-notice/student-privacy-notice.aspx>.
- 6.5. Students retain the right to view recordings of their assessment for the duration of their studies.

7. Policy on Recording of Audio and Video Feedback by Staff

- 7.1. Recording of audio or video for the purpose of assessment feedback may be used for academic purposes. Academic staff responsible for the creation of feedback are similarly responsible for the recordings made. These will only be shared with relevant staff or external assessors for academic review, and may not be distributed to students other than those for whom the feedback is being created.
- 7.2. Students retain the right to view recorded feedback, but the University retains the intellectual property rights for the recording.
- 7.3. Feedback recordings will be retained for a period that adheres to recording duration policy detailed in 6.2.
- 7.4. Content recorded by staff for assessment feedback purposes are subject to copyright policy detailed in 9.15.

⁵ Subject to [appropriate tagging within the ReCap system](#) to exclude such recordings from annual housekeeping processes.

8. Policy on Recording of Teaching by Students

- 8.1. Where lectures and other formal teaching sessions are not routinely recorded, students with an agreed Learning Support Plan (LSP) have the right to audio record any lecture or teaching and learning activity within the constraints defined in 8.2 and 8.3.
- 8.2. Audio recording by students of teaching sessions will not be permitted where it infringes data protection, copyright, or the intellectual property rights of others or represents sensitive clinical information. When recording is not permitted, students may challenge the decision after concluding the teaching session using the Student Complaints Procedure.
- 8.3. Audio recording of small group teaching/seminars where group discussion and debate may be discursive is not permitted without the lecturer's and group's permission. Where permission is not received, lecturers must make reasonable adjustments to ensure students with a Learning Support Plan (LSP) access the teaching session/seminar content⁶.
- 8.4. Audio recordings made by students are to be used solely for personal study. Recordings must not be reproduced, distributed to any third party, or made available on any external website or social media channel. Inappropriate use of recordings created by students may be considered a disciplinary matter by the University.
- 8.5. The visual recording of lectures or any other teaching and learning activity is not permitted without the explicit prior consent of the lecturer and other individuals involved.

9. Rights and Entitlements of Individuals and the University

- 9.1. The intellectual property (IP) associated with teaching content created by staff over the course of their duties is owned by the University as set out in the University's Intellectual Property Policy - Staff. This includes the intellectual property of any recordings made by it or on its behalf. The University's Intellectual Property Policy - Staff is available on the University web pages at the following link: <https://www.canterbury.ac.uk/asset-library/policy-zone/intellectual-property-staff.pdf>.
- 9.2. The intellectual property (IP) associated with recordings made by students in organised teaching sessions is owned by the University as set out in section 4 of the University's Intellectual Property Policy – Students. The intellectual property (IP) associated with recordings made by students of individual or group learning activities (e.g. individual reflections on studies, practice recordings of group presentations etc) that take place out with organised teaching is owned by the student(s). However, the University retains the right to copy and distribute such content as it deems necessary for learning and teaching purposes, in line with section 4.3 of the Intellectual Property Policy – Students. Further information can be found in the Intellectual Property Policy – Students, available on the University website at the following link: <https://www.canterbury.ac.uk/asset-library/policy-zone/intellectual-property-students.pdf>.
- 9.3. Performance rights reside with the lecturer and other recorded participants who are expected to agree to the recording and agree that the University may use their performance for the purpose of supporting learning and teaching at the University in line with the retention and publishing periods as defined in this

⁶ The Department for Student Wellbeing Services can provide advice and guidance to staff on appropriate reasonable adjustments on a case-by-case basis.

policy. These rights apply to the recording of any performance, as determined in the definition of “performance” given in 3.10. Further information on performance rights can be found in Part II of the UK Government’s Copyright, Designs and Patents Act (CDPA) 1988, available through the following link: <https://www.legislation.gov.uk/ukpga/1988/48/contents>.

- 9.4. The Department of Learning and Teaching Enhancement (LTE) will implement an annual process to delete all relevant recordings in line with sections 4.9, 5.6, and 6.2.
- 9.5. Staff may individually delete recordings at any time, however, staff should ensure that any individual deletion of recordings is not to the detriment of either the rationale outlined in 4.9 or the principles outlined 1.1 to 1.5. In cases where recordings are individually deleted, staff should give students reasonable notice before doing so.
- 9.6. Former employees cannot use any recordings in which the University owns Intellectual Property rights without the prior written permission of the University in line with section 4 of the Intellectual Property Policy - Staff.
- 9.7. In order to ensure parity of student experience, and in line with the principles outlined 1.1 to 1.5, the University will be entitled to continue to use recorded lectures in which the former employee owns Performance Rights under the specific terms and durations outlined in 4.8 and 4.9. Beyond this, the University will not be entitled to use any recordings in which the former employee owns Performance Rights, unless the written permission of the former employee has first been obtained.
 - 9.7.1. Departing staff members should ensure that all relevant recorded lectures are transferred to an alternate and appropriate staff member prior to leaving the University. This is to ensure continuity of access for the cohort for whom the recording was originally made. The specific terms as outlined in 4.8 and 4.9 are unchanged.
- 9.8. The University is not entitled to use any recordings of additional content (created for both academic or non-academic purposes) in which the former employee owns Performance Rights unless the written permission of the former employee has first been obtained, otherwise, upon leaving employment at the University, recordings of additional content will be deleted in line with the General Data Protection Regulations (GDPR).
- 9.9. In the event of teaching sessions being cancelled or postponed due to a staff member withholding their service for purposes of industrial action, no recorded content will be made available by the institution in place of such sessions.
- 9.10. Where teaching sessions are cancelled due to unexpected staff absence, adverse weather conditions or other unexpected University closure, and where a rescheduled class is not possible, recorded content may be used as an acceptable replacement with permission of either the staff member or, in cases where the staff member is unable to be contacted, the Course Director.
- 9.11. Recordings cannot be guaranteed, but all reasonable efforts will be made to provide them.
- 9.12. Students must be informed when a class is being recorded. This can be conveyed in one of the following ways:
 - Where occasional, individual sessions will be recorded, this should be communicated verbally with a [standard information slide](#) at the start of an individual class;
 - Where regular recordings will be taking place, this should be communicated either

- in writing through the course or module handbook;
- in writing (electronically or otherwise) through the terms and conditions of an individual course;
- in writing (electronically or otherwise) prior to the start of a semester or academic year. In the case of regular recordings, a verbal reminder with a standard information slide at the start of each class would also be beneficial.

This information should confirm what elements will be recorded (audio, screen content, video of the classroom environment etc). Changes to a previously agreed approach through the duration of studies must also be conveyed prior to the change taking effect.

- 9.13. Students may retain the right for their image or voice to be excluded from a recording, unless it is required for assessment purposes. This right must be communicated prior to the recording taking place. Where recording is taking place within a classroom environment, appropriate measures should be taken to allow students who wish to retain this right to attend the class without being recorded.
- 9.14. The University commits that content recordings will not be used as a means of evaluating teaching or for performance management purposes. However, they may be provided as evidence in any legal or employment proceedings related to incidents that are alleged to have occurred.
- 9.15. Recorded content should not contain any unattributed copyright materials, including (but not limited to) images, video (including DVDs and YouTube content), audio and text, unless within the remit of exceptions to the Copyright Digital Protection Act 1988. Copyright material should only be used if licenced (either through the content publisher or a third party such as the Copyright Licensing Agency and/or the European Recording Agency) or where clearance has been directly obtained from the copyright holder. *Note that licences and clearance provided for use of the materials in the classroom may not cover inclusion of the materials in a recording.* It is the responsibility of the staff member(s) providing the content to be recorded to make sure that appropriate licencing/clearance has been received prior to the recording of the content. Further guidance on current licences and copyright issues can be provided by the University Library: <https://www.canterbury.ac.uk/library-services/support-my-teaching/copyright-guidance>.
- 9.16. The University retains the right to withdraw a recording at any time if concern is raised due to potential infringement of copyright, data protection or public exposure of commercially sensitive information.
- 9.17. Where downloadable formats of recordings are made available, they are provided for personal use only. Distribution of such content to unauthorised parties is considered a breach of the University's intellectual property rights and copyright ownership, and the University reserves the right to take appropriate action against any individual or group unlawfully distributing its content without express permission.
- 9.18. Individuals external to the University that are being recorded must provide express permission to be included in the recording, and for that recording to be distributed within the University to appropriate groups of students and staff. Further, if the individual is presenting their own content, ownership of the intellectual property of that content may reside with the individual's employer, and permission needs to be granted for the University to record such content.

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- 9.19. In order to comply with the [Public Sector Bodies \(Website and Mobile Applications\) Accessibility Regulations 2018](#), all time-based media⁷ (such as lecture recordings and recordings of additional content) must be compliant with the [Web Content Accessibility Guidelines \(WCAG\) 2.1 Level AA](#) - this includes the use of closed captions. The ReCap service automatically generates captions for all recordings. The accuracy of automatic captioning is dependent upon a range of factors, including microphone positioning and background noise. Whilst there is no expectation of staff to manually add/edit captions, staff should be mindful that erroneous or mis-transcribed captions may cause confusion for students. Staff concerned about the overall quality of auto-generated captions should contact their [Digital Academic Developer](#).

10. Support and Guidance

- 10.1. The Department of Learning and Teaching Enhancement (LTE) are responsible for making new employees aware of this policy through staff induction processes and formal training events.
- 10.2. Further information about this policy is available from the document owner (Learning and Teaching Enhancement) or their representative. Please email Daniel Clark, Assistant Director: Digital Learning daniel.clark@canterbury.ac.uk.

⁷ Time-based media refers to one or more of the following types: audio-only, video-only, audio-video, audio and/or video combined with interaction.

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History of revisions of the Document	<p>Version 1.1, approved by the Learning, Teaching, and Assessment Working Group (LTAWG) April 2023.</p> <p>Main changes: Rewording the Purpose of the Policy to better emphasise the expectation for staff to record all lectures where recording facilities are available and to place a greater emphasis on the University’s obligations under the Equality Act 2010.</p> <p>Version 1.2, approved by the Education and Student Experience Committee (ESEC) May 2023.</p> <p>Main changes: Including specific reference to the Copyright, Designs and Patents Act (CDPA) 1988, including the definition of a performer, within sections 9.3 and 3.10. Including references to the European Recording Agency in section 9.15.</p> <p>Version 1.3, approved by Academic Board June 2023.</p>
Web Address	https://www.canterbury.ac.uk/learning-and-teaching-enhancement/learning-platform-suite/digital-learning-capture.aspx