

Policy on Live Streaming and Recording Educational Activities



Summary			
This Policy has been written to support, enable and promote the recording of educational activities			
Scope			
Applies to all students (undergraduate, taught and research postgraduate) from 2021/22			
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Division	Education Services		
Lead contact	Paula Coonerty, Academic Registrar and Director of Education Services		
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Policy on Live Streaming and Recording Educational Activities

Background

1. This Policy has been written to support, enable and promote the live streaming and recording of educational activities at the University of Bristol.
2. In this Policy, educational activities include but are not limited to lectures, laboratory demonstrations, presentations, seminars, tutorials and assessment activities. These may be recorded by the University in real time with students present, or pre-recorded by staff for asynchronous use by students and other members of the University.
3. Recent developments in digital tools and pedagogic approaches are transforming the potential use of audio and video materials for educational purposes.
4. There are considerable benefits to our students in recording for educational purposes, including:
 - Flexible learning – anytime and anywhere access to learning materials, learning which can occur at the student's own pace;
 - Multi-modal learning – providing learning materials in multiple formats to suit individual learning preferences;
 - Deep learning – including the ability to evaluate and contextualise learning materials over time, or to revisit complex concepts to increase understanding;
 - Digital capabilities – providing opportunities for students and staff to develop digital skills and capabilities;
 - More diverse teaching - for example the use of recorded material for viewing in advance of scheduled teaching sessions to create space for more interaction during the class or lecture;
 - Improved accessibility – particularly for students with special educational needs or whose first language is not English, or who may need to study away from Bristol.
5. Recordings have multiple possible uses, such as short videos for students to watch before seminars, presentations which inform students' option choices, interactive enrichment materials, and recording events and lectures.
6. The recording of educational activities is an important part of the University's strategy to enhance the quality of the student experience, and promote more inclusive and flexible learning and teaching.

Purpose of this Policy

7. To better support our educational objectives, in many situations we will record the audio, projected or created content and where possible video of teaching. In some circumstances we will stream live educational activities to reach students who cannot be on campus or whose courses are designed as distance learning; these live streams may also be recorded. To that end we want to make certain that the necessary rights and protections are in place to enable this.
8. However, it is important that staff and students understand what recording is not designed to do. The University recognises and acknowledges that:
 - Recordings and live streams are not intended to replace student contact time or reduce student attendance at classes on campus where this is provided,

and attendance is expected. They are provided to support student learning and enrich the student experience;

- Not all teaching materials and styles are suitable for recording (see paragraph 27) and staff should not feel required to change their preferred teaching style simply to ensure that it can be recorded.

Rights and responsibilities

9. The recording of educational activities requires clarity about the rights and responsibilities of the University, staff and students in respect to copyright and other intellectual property rights.
10. In line with staff contracts of employment, the University of Bristol will hold the copyright in the recording (including rights in the sound recording). This will enable continued use of the recording for the specific educational outcomes outlined in this Policy.
11. Staff own the performance rights in the recording of their teaching activities. By recording their teaching, staff give permission to the University to capture the educational activities and use the rights in any performance solely for educational purposes. Unless there is an agreement to the contrary any recordings will only be used by the University for educational purposes and not for professional capabilities review purposes (see Ordinance 29). Use for non-educational purposes will require explicit permission of the lecturer. The rights granted in this clause are irrevocable.
12. The University of Bristol may use, reproduce, and modify the format and display of the recordings (subject to the use criteria set out in paragraph 11) but not to modify the substance of its content. Staff waive all moral rights which might otherwise constrain this.
13. In summary staff who undertake recording of educational activities assign all rights, title and interest in and to the recording to the University of Bristol save in respect of performance rights where a licence is given.
14. The University of Bristol acknowledges staff have the right to request and be provided with a copy of the recording.
15. The University will acknowledge the lecturer as the author and performer of the recording wherever possible.
16. Staff have responsibility to ensure they comply with copyright legislation relating to their lectures and educational activities. Staff acknowledge their responsibility to ensure that use of third party copyrighted materials in the recordings is not in breach of data protection legislation or of any confidentiality obligations and does not infringe any third party's intellectual property rights.
17. Students give the University permission to use and record any performance by them that may be captured in the recordings for educational purposes as set out in this Policy and waive all moral rights which might otherwise constrain this.
18. Staff who create recordings must comply with the requirements for captioning materials which are available from the Digital Education Office.

Safe Keeping

19. For data security purposes and to avoid misuse or unauthorised use of University of Bristol materials, teaching must be provided on the University approved and supported platforms. Recordings of materials designed for use in credit-bearing units

for current University of Bristol students must be submitted to University approved platforms, principally Blackboard or RePlay, and must not be posted to publicly available sites, such as YouTube. Details of the University approved and supported platforms are available here:

<https://uob.sharepoint.com/sites/itservices>; and

<https://www.bristol.ac.uk/digital-education/tools/>

20. Recordings submitted to RePlay and Blackboard with their accompanying materials will be stored securely and be password protected. These recordings will only be accessible by relevant students or University staff who have authorised access, such as unit heads and system administrators.
21. Where technically possible, recordings with their accompanying materials made for educational purposes will be made available to students for the duration of their programme of study. Recorded teaching materials may be made available to subsequent cohorts at the discretion of the unit director, though not with the intention of replacing live teaching. The University will withdraw recordings which are no longer in use, and dispose of them, save any retention for archival purposes or historical interest at the School's request.
22. Use of recordings and their accompanying materials made for educational purposes beyond that set out in paragraph 21 will require the explicit permission of the teaching staff featured in the recording.

Recording and Not Recording

23. The University has a legal obligation to provide learning in alternative formats for some students (e.g. disabled students may need a recording as part of the 'reasonable adjustment' process). This alternative format may be a recording of teaching. This obligation must be met.
24. If the University has an overriding legal obligation to provide a recording then a recording will be made in accordance with the University's legal obligations and staff may not opt out of recording in accordance with paragraph 26. Where these recordings can be provided using the institutional, automated service they should be, to reduce student anxiety and provide a supportive and inclusive learning environment.
25. If no legal obligation exists to require a recording to be made (paragraphs 23 and 24) the University expects that all scheduled teaching sessions which include any substantial element of teacher input (e.g. mini-lecture, interactive lecture, teacher feedback to the group on an assignment) should be recorded where facilities exist. For online sessions, recording functionality is likely to be available in all sessions. For face to face sessions, it will normally only be available in those teaching spaces equipped with Re/play or a microphone and Mediasite Desktop Recorder.
26. If a member of staff feels that their teaching which otherwise meets the conditions of paragraph 25 would not be suitable for recording, or if a member of staff is entitled to reasonable adjustments to their working arrangements which would require an exemption from some aspects of this policy, they must obtain the prior approval of their Head of School or his/her nominee to opt out of recording. The Head of School or his/her nominee will consider the criteria below (paragraph 27 – criteria for not recording) in reaching a decision. During the Head of School's term of office, the decision for each unit need not be sought afresh in subsequent years, unless the unit is substantially redesigned.

27. Recording may not be appropriate where a substantial proportion of the educational activities:
- a. contain confidential or personal information,
 - b. are commercially or politically sensitive,
 - c. include such a degree of interaction with students that recording is not viable,
 - d. are delivered in a way that makes recording unsuitable, e.g. extensive use of whiteboard or chalk board.
28. If, during a class or lecture, it transpires that part of that individual class or lecture is not suitable for recording these elements may not be recorded (see paragraphs 27, 35 and 36).

Streaming and Recording of Students

29. As part of students' studies, students' participation in teaching activities and assessments may be streamed or recorded and these recordings used and made available for educational purposes.

Recording Notice

30. Students must normally be made aware at the beginning of each class or lecture when recording of educational activities takes place.

Editing

31. To minimise impact on staff workloads and ensure prompt access for students, automated recordings of some timetabled teaching are automatically published. Where recordings are not automatically published staff must ensure that they are made available to students as quickly as possible. Staff can review and edit a recording before it is made available to students. Staff can manually publish recordings and recall recordings for editing once published.

Reasonable Adjustments

32. Reasonable adjustments will be made for disabled students which may include but are not limited to the provision of recordings of teaching with subtitling where this is required. Should a member of staff need a reasonable adjustment in order to facilitate the preparation of a recording, s/he should contact the Digital Education Office.

Take down

33. If a member of staff or student becomes aware that defamatory, inaccurate or infringing material is included within a recording or any other reason why it would be expedient for the University to recall a recording, they should contact the Digital Education Office.

Data Protection

34. Subject to the right to not record set out in paragraphs 27 and 28 of this Policy, the University will (i) record and make the recordings available in accordance with this

Policy; and (ii) process “personal data” and “special category data” in accordance with the University’s Data Protection Policy and data protection legislation <https://www.bristol.ac.uk/secretary/data-protection/policy/>

35. This Policy is not intended to prevent or inhibit the free discussion of academic content, opinion and reflection which is core to teaching, learning and assessment in higher education. In contributing to recorded teaching and other educational materials, students and staff should consider whether they wish to include special category data, since this data will form a part of the recording which will be made available as detailed in this document. Special category data is certain types of personal data such as: racial or ethnic origin, political opinions, religious or other similar beliefs, trade union membership, physical or mental health or sexual life or orientation.
36. A student or member of staff may ask for a recording to be paused so that material of this nature is not recorded. A student or member of staff who wishes a completed recording to be edited or withdrawn in order to remove material of this nature should contact the Digital Education Office.

Visitors

37. Express, documented consent is required for (i) the streaming and recording of persons who are not University of Bristol students, members of staff or honorary members of staff speaking at lectures or events and (ii) making their recording and materials available via Re/Play and a consent form must be completed. This form is available from the Digital Education Office.

Students’ Rights to Record

38. Disabled students who are known to Disability Services may record lectures or other formal teaching sessions as a reasonable adjustment for disability related reasons and must follow this policy.
39. It is not expected that students will routinely need to make their own recordings of teaching and learning. Where students do need to make such recordings they cannot do so without the prior consent of the lecturer and the other participants. This is because recording the seminar or tutorial may well also capture special category data of staff and students and/or members of the public.
40. Any recording made by a student must only be used as a personal aid for study purposes. Students may not share, publish or otherwise make the recording available in whole or in part to any other person. Students must delete the recording as soon as they cease to be a student of the University. The University will own the copyright in any recording that a student makes.
41. In relation to where the University supplies or makes recordings of educational activities available to students:
 - a. the University will own the copyright and all other intellectual property rights in the recordings; and
 - b. the recordings must only be used by the student as a personal aid for study purposes. The student may not share, publish or otherwise make the recording available in whole or in part to any other person.
42. The University reserves the right to enforce student disciplinary regulations where students do not adhere to the conditions outlined in this policy.

Further information

For any queries relating to Data Protection please contact the Information Governance Manager at data-protection@bristol.ac.uk

For any queries relating to learning and teaching, the use of recording software and materials development please contact the Digital Education Office
<http://www.bristol.ac.uk/digital-education>.

Key Reference Documents

Legal

More information about copyright at the University can be found at www.bristol.ac.uk/library/use/copyright/

Accessibility

More information about the University's obligations can be found at <http://www.bristol.ac.uk/disability-services/study-support/reasonable-adjustments/> and <http://www.bristol.ac.uk/style-guides/web/policies/>