

POLICY ON THE USE OF RECORDING FOR EDUCATIONAL PURPOSES

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Policy on the Use of Recording for Educational Purposes

1. Introduction

1.1 There are a range of educational benefits of creating and making recordings available to students. These include:

The ability to access the recording at any time and from any place adds flexibility to some aspects of curriculum delivery and consumption.

The provision of teaching material in multiple formats generally supports the principle of inclusivity/accessibility.

Support for students for whom English is not their first language or who have additional learning support entitlements.

The ability to pause and replay any part of the recording supports students in increasing their understanding and enables them to re-evaluate a topic over an extended period.

1.2 The University acknowledges that:

Not all online or in-class educational activities will be suitable for recording. Ultimately, therefore, the decision to record should be taken by the academic colleagues leading a learning and teaching session (see 4.1 below).

The use of sensitive materials or coverage of sensitive topics may preclude some in-class or online activity from being recorded (see 9.1 below).

Fit for purpose training support will be required to enable colleagues to capture their teaching appropriately. They must be competent in the use of any recording system so that they can, for example, confidently switch recording on and off during a live session as appropriate. Equally, where colleagues intend to produce a recording with no students present, they will need access to appropriate basic equipment and guidance on how to record and then distribute a recording.

1.3 The recording of educational activities is carried out to support teaching, learning and accessibility. The University processes personal data contained in recordings in accordance with UK data protection legislation. Further detail on the lawful bases relied upon, and on the processing of special category data, is set out in sections 8.1 and 9 of this policy.

1.4 It is to be assumed that all educational activities may be recorded by the University but recording by students is not permitted except as provided in Section 10 below.

2. Purpose and scope of the policy

2.1 The policy is provided to ensure that there is a consistent approach to the making and use of recordings across the University and that all colleagues are clear on their rights and responsibilities with regard to recording and the use of the recorded materials.

2.2 It applies to any recordings created by University colleagues for the purposes of supporting teaching learning and assessment at the University and to any recording of live teaching and learning activities, whether online or face-to-face.

This includes recordings of:

- Pre-recorded presentations by colleagues
- Live teaching or learning activities or sessions
- Groupwork
- Student presentations
- Assessment

3. Guiding principles of the policy

3.1 The rights of colleagues, students and guests of the University will be respected and protected.

3.2 The University will comply with data protection law, minimising the capturing of personal data by recording only the minimum data as is essential for the learning and teaching activity.

3.3 Where possible and bearing in mind 1.2, 3.1 and 3.2 above, students should be able to access recordings of live teaching and learning activities to support their learning.

3.4 All materials and activities in any recording must comply with all relevant legal and regulatory requirements, including for example copyright law. and data protection legislation.

3.5 All recorded sessions must comply with the University's accessibility requirements.

3.6 The availability of automatic captions does not guarantee accessibility. Where recordings form core learning materials, or where students require additional adjustments, further measures may be necessary to ensure accessibility, in accordance with the University's obligations under equality legislation and its accessibility policies.

3.7 All recorded content must be stored on University-managed or approved systems and used in line with University security and [records retention policies](#).

3.8 The University has the right to review material to verify it complies with relevant policies or guidance (for example, copyright and accessibility – see Section 12 for further supporting information). If any recording is found to be inconsistent with relevant UK law in any way, the material may be taken down or amended, in discussion with the relevant colleagues. Academic freedom will be protected throughout this process, and such removal will only occur in exceptional circumstances and after appropriate consultation with senior managers or where required by law or regulatory obligation.

3.9 Recordings will not be used for colleagues' performance management.

3.10 The University undertakes to include the provisions of this policy in induction training for new academic colleagues, and in management training for line managers, Assistant Heads and Heads of School. A link to the policy will also feature in the Colleagues Noticeboard area of Blackboard.

4. Live recordings

4.1 Live teaching and learning sessions will normally be recorded in order to support learning, accessibility and flexibility for students, where this is pedagogically appropriate and practicable. Recordings may be audio only, video only or include both audio and video.

The decision as to whether to record a live session rests with the academic colleague leading the session, who should exercise their professional judgement in accordance with the guiding principles set out in Section 3 and the considerations in sections 5.2 - 5.4. This expectation to record does not apply where recording would be inappropriate, impracticable, or contrary to pedagogical, legal, ethical or privacy considerations.

4.1.1 The need to ensure that all students on a course have access to relevant teaching and learning activities, whether they are studying on-campus, online or in blended mode.

4.1.2 Whether the type of teaching and learning activity or session is conducive to being recorded (see 5.2 – 5.4).

4.2 Other than in very exceptional circumstances, where special category personal data would be recorded, students should expect that a session may be recorded, whether face to face or online and that recording will be initiated by the academic colleagues leading the session.

4.3 Where a live online teaching and learning session/activity is to be recorded, student video and sound should be switched off by default at the start of the session, to give the choice of whether they wish to turn on their audio or video. Where practical to do so, students should be informed when the recording has started. During the session it is good practice to have a part of the session that is not recorded in order that participants can make 'off the record' comments and questions. With a live face to face recording, students should be given the option of positioning themselves out of range of the in-class recording devices.

4.4 Recordings of live teaching and learning sessions/activities should only be made using University approved systems/software (currently Microsoft Teams or Panopto). A university colleague responsible wholly or in part for delivering the session, should start the recording.

4.5 When academic colleagues deliver live teaching and learning sessions which will be recorded, they must ensure they have copyright clearance and/or include appropriate citations for any material used in the recording. [This web page provides further advice on copyright issues.](#)

4.6 Recordings might include all or any of the following:

4.6.1 The content delivered in the session (visual and audio).

4.6.2 Discussions conducted during the session (verbal and written).

4.6.3 Anyone present in the session and their active participation in the session.

4.7 All participants need to be aware that the contributions they make during a session that is recorded, including chat messages in a live online session, are legally discoverable and therefore everyone should communicate with clarity, professionalism, courtesy and respect, in keeping with the University's mission and values. Recordings may be subject to disclosure under Freedom of Information or data protection legislation. Once a request has been received, recordings must not be altered or deleted except in accordance with legal requirements.

5. Notification that recording is taking place

5.1 Module Blackboard sites should indicate that every taught session may be recorded and include a link to the Policy on the Use of Recording for Educational Purposes and a link to the relevant privacy notices. In addition, at the start of any session, it should be stated by the academic colleagues responsible for delivering the session if it is to be recorded. Students should indicate at this point if they do not wish to be recorded.

5.2 The academic colleagues responsible for a session have the right to apply discretion when recording, and, as appropriate, pause or subsequently edit or delete a recording.

5.3 There are likely to be situations where all or part of a live teaching and learning activity/session should not or cannot be recorded: These may include where:

5.3.1 the teaching and learning activity is delivered in a way that makes recording unsuitable. For example, it is intended that there will be a high level of interactivity and significant student contributions;

5.3.2 discussion or activities contain confidential or special category personal information or are commercially or politically sensitive;

5.3.3 there may be legal, ethical or privacy reasons for not recording (see Sections 8 and 9);

5.3.4 where the capability to record the activity is not available;

5.3.5 where an individual colleague or student has personal reasons that make it inappropriate for their activity to be recorded.

5.4 The academic colleagues leading/facilitating a session are responsible for deciding whether the interests in not recording part or all of a live teaching and learning activity/session outweigh the value in recording. They should keep a note of any decision taken not to record alongside the main reasons for not recording. Academic colleagues should consider the following when making a decision not to record:

5.4.1 The educational value of providing students with recorded learning resources, as outlined in Section 1 above and as evidenced from the published literature.

5.4.2 The inclusive nature of recorded learning resources and the benefit for students who may have diverse learning needs.

5.4.3 Academic colleagues should consider any adverse effects on active student participation that recording might have in learning scenarios where students would be expected to make a greater contribution, for example in seminars, tutorials and group-based work. If in doubt, colleagues may refer to the module or course leader for advice.

5.5 Students have the right to object to being recorded. A student who does not wish to be recorded should make this known at the start of a course, or to the academic colleagues present at the start of a session. The rights and interests of all individuals will be balanced proportionately when considering such objections.

Where a student objects to being recorded, academic colleagues should take reasonable and proportionate steps to accommodate this objection, so far as is practicable without detriment to the learning experience of other students or to the academic objectives of the session. Depending on the context, this may include one or more of the following options:

5.5.1 The student leaves the session and accesses the recording or alternative learning materials.

5.5.2 The student remains in the session but does not contribute to recorded discussions (for example, by positioning themselves out of range of recording equipment in face to face sessions, or by not enabling microphone, camera or chat functions in online sessions).

5.5.3 The student requests that the recording be paused temporarily to allow them to contribute, where this is reasonably practicable and appropriate to the nature of the session.

Where an objection to recording cannot reasonably be accommodated through the measures above, academic colleagues should discuss alternative arrangements with the student, and, where appropriate seek advice from the module or course leader or relevant student support services. A brief record of the objection should be recorded locally by the module leader/team. Where an objection is raised after a recording has been made, this may constitute a request to restrict processing under data protection legislation and will be considered in line with the University's data protection policy by the Information Compliance Team.

5.6 If an academic colleague does not wish their sessions (face to face or online) to be recorded, they should liaise with their line manager to ensure that material representing their live teaching and learning sessions is made accessible in other ways. All 'opt-outs' from recording, and which sessions/classes the opt-out(s) refer to, should, after discussion with the line manager, be notified to the relevant Head of School. In the case where a colleague wishes to opt-out of all recording, the Head of School may wish to discuss the matter with them. In any event, those involved will be mindful of the need for sensitivity and privacy. A decision for opt-out of recording will be made taking into account the needs of the student in relation to the rights of privacy afforded to academic colleagues under data protection legislation.

6. Storage of and access to live recordings

6.1 All Panopto recordings of live sessions will be made available to students via Blackboard.

6.2 Any recordings made with Microsoft Teams will be stored in University-approved systems and may be linked to, or embedded in, a Blackboard site by the academic colleagues responsible for the recording.

6.3 All Panopto and Microsoft Teams recordings have auto-captioning options. At the University of Westminster We support Google Suite, and we encourage users to utilise Google Chrome's automatic captioning provision to access closed captions for live, browser-based video streaming.

6.4 A student, University colleague or guest may request, via the academic colleagues responsible for facilitating the session, to make any recording unavailable if:

6.4.1 They consider that defamatory, inaccurate, discriminatory or inappropriate material is a part of the recording. Note: In considering requests under this clause, the University will have regard to its obligations under freedom of speech legislation as expressed in its [Code of Practice on Freedom of Speech](#). What one person considers defamatory or inappropriate may constitute lawfully protected expression under the Higher Education (Freedom of Speech) Act 2023. Requests will therefore be considered carefully and proportionately, balancing the rights of individuals against the University's duty to protect freedom of speech within the law.

6.4.2 They consider that personal or sensitive material relating to them is included within a recording but which they did not intend to share.

Such requests may also include requests to restrict access to or processing of a recording under data protection legislation.

6.5 The academic colleagues responsible for facilitating the session may decide that editing or redaction of the recording that is made available to students may address any concerns raised. If they are unable to deal with the request in this way, and feel it inappropriate to make the recording unavailable, they may seek advice in the first instance from the Information Compliance team and should inform the Course Leader.

6.6 Default access to a recording initiated by academic colleagues will normally be restricted to students on the relevant module for which the recording was made. Other than when authorised by a Head of School, with the author(s) consent, a recording made on an undergraduate or postgraduate course or other programme of study will not be available publicly.

6.7 If students create a recording for the purposes of groupwork on a course they should ensure that all members of the group have access to the recording. Such recordings should not be made available more widely within the course, unless agreed with the module or course teaching team.

6.8 At present:

- videos move to archive automatically if they have not been viewed for 13 months
- archived recordings remain searchable and accessible, and any user with a link can request restoration which can take up to 48 hours.
- archived recordings older than 9 years are deleted in line with Blackboard retention periods.

Retention periods will be determined in line with the University's records retention schedule.

As academic colleagues own their performer's rights in recordings and license these to the University (see 8.2), it is acknowledged that academic colleagues can withdraw their consent. However, the University requires that consent and license are granted for a minimum period which would include one complete academic year plus the period required for students on the relevant module to complete referral/deferral. After this minimum period, an individual academic colleague can delete their own recordings, but must inform the Course Leader in writing before doing so.

6.10 If an academic colleague were to die during their service at the University, their recordings on Blackboard will be deleted on receipt, or as soon as possible thereafter, of confirmation of death by the relevant People Business Partner in the People, Culture and Wellbeing department.

6.11 Where academic colleagues leaves the University, they can request deletion of their own recordings

7. Use of live recordings

7.1 Students may only use a recording for personal use in relation to their studies.

7.2 Colleagues may only use a recording for purposes of providing the course.

7.3 Access to a recording must not be granted to any third party, other than for transcription purposes linked to accessibility requirements or when other support workers (e.g. a study assistant) require access to perform their role. Anyone who uses a recording inappropriately (e.g. downloads and re-distributes a recording) may be subject to disciplinary action.

8. Lawful basis for the processing of personal data, intellectual property and copyright

This section sets out the University's authoritative statement on the lawful basis for the processing of personal data in relation to the recording of learning and teaching activities. The lawful bases set out in this section apply to all recordings covered by this policy.

8.1 By recording learning and teaching sessions, the University processes personal data in accordance with UK data protection legislation. The lawful basis for this processing will normally be that it is necessary for the

performance of a task carried out in the public interest and/or for a legitimate interest.

The recording of learning and teaching sessions is carried out for the purposes set out in this policy, including the delivery of teaching, support for learning, and accessibility. The University will take steps to minimise the collection of personal data and to ensure that recordings are used and stored in accordance with this policy and applicable data protection requirements.

Copyright and related rights in recordings are addressed separately in Section 8.2. Participation in a recorded session does not constitute consent for the processing of personal data where another lawful basis is relied upon, nor does it affect the rights of individuals under data protection legislation.

8.2 In accordance with the University's Intellectual Property Policy, copyright in teaching materials created in the course of employment normally belongs to the University. Colleagues retain performer's rights in their recorded delivery and grant the University a non-exclusive licence to store, use and make recordings available to students for educational purposes. This licence applies for the period that recordings are retained in line with the University's retention schedule. Colleagues may request removal of a recording after the minimum retention period has passed.

For the purposes of this policy, "recording" includes any means by which the content of a session is captured, viewed, stored or reproduced, whether in audio, visual or written form. This includes, but is not limited to, the use of translation or transcription software (such as real-time translation tools), note-taking applications that capture live speech, and AI-assisted tools. Students should be aware that even when they do not consider themselves to be 'recording' a session, the use of such tools may constitute a recording for the purposes of this policy and requires permission in line with Section 10.

8.3 Third-party materials may be included in recordings where permitted by UK copyright law, for example, under Creative Commons licences, works out of copyright, or fair dealing exceptions for illustration or instruction. Colleagues should generally use short extracts, include proper acknowledgement, and avoid including entire works. Where possible, provide links rather than embedding copyrighted content. For further guidance, refer to the Copyright Guide for Academic Colleagues.

8.4 It is the responsibility of colleagues making a recording to satisfy themselves that the materials used in learning and teaching, including the making of recordings, are cleared for copyright.

9. Consent and Privacy

9.1 Recording of learning and teaching sessions supports teaching delivery, accessibility and student engagement. The University processes personal data contained in recordings under the lawful basis of public task and legitimate interests. No special category (sensitive) data will be recorded unless explicit consent has been obtained from the individuals concerned. Further information is set out in the [University's Privacy Statements for colleagues and students](#). Further guidance on special category data is available in the University's data protection policies. Further information on the lawful basis relied upon by the university is set out in section 8.1

9.2 Sessions that involve the disclosure of special category (sensitive) personal data must not be recorded unless explicit consent has been obtained in advance from all individuals who may be identifiable in the recording. Where special category information is disclosed unexpectedly, the recording should be paused or the relevant section edited out before publication. Special category data includes for example personal data revealing religious or philosophical beliefs or political opinions or data concerning health.

9.3 Colleagues facilitating a session are responsible for ensuring that recordings do not include special category personal data without explicit consent. This may involve pausing a recording during sensitive discussion or editing the recording before it is made available to students.

9.4 In certain circumstances (e.g. where recording of a presentation by a student or group of students forms part of an assessment) students may not be permitted to opt-out of a recording.

10. Student recordings

10.1 Students may not record teaching sessions unless permitted to do so by the colleagues teaching. Students who require the ability to record as part of a reasonable adjustment should follow the process set out by Disability Learning Support. Other students who wish to record a session must request permission from the session leaders. Where a student has an approved reasonable adjustment, this may include permission to make a personal recording, subject to Disability Learning Support processes, even where the session is not recorded by the academic colleague.

10.2 Students with an approved reasonable adjustment may make a personal recording in line with Disability Learning Support processes, even where a session is not recorded. Recordings are for personal study only. Where this is not possible, alternatives should be agreed with Disability Learning Support. Academic colleagues are not normally required to record sessions.

10.2 Where consent is granted, recordings must only be used for personal study and must not be shared, published, or distributed. Breaches of this requirement may be addressed under the Student Code of Conduct. Colleagues should consult Disability Learning Support where a recording request is related to a disability.

11. Guests

11.1 Where a guest speaker or visitor will be recorded, they must provide explicit permission in advance (for example, via email). This permission should confirm that the guest understands the purpose of the recording and how it will be used, stored and made available. The University may provide standard wording to support this process. The hosting colleagues are responsible for obtaining and securely retaining this permission. Written permission must be retained for at least the duration of the period for which the recording is stored, in line with the University's records retention schedule.

11.2 Guest speakers retain the intellectual property and performance rights in their materials and delivery. By agreeing to be recorded, guests grant the University a non-exclusive licence to use the recording for educational purposes for the duration of the University's retention period.

11.3 Guests have the right to object to being recorded or to request reasonable edits to any part of the recording that relate to their contribution. Requests should be made to the hosting colleagues, who will liaise with the relevant University teams to action the request.

12. Supporting information

[University Data Protection Policy](#)

[University Records Management](#)

[University Privacy Statements](#)

[University Equality and Diversity Policy](#)

[University Copyright Statement](#)

[VLE Accessibility Statement](#)

[Guidance on the Use of Panopto](#)

[Guidance on the use of Microsoft Teams](#)

[Guidance on the Creation of Accessible Digital Content](#)

