

# Academic Policies and Procedures



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[ ] South Devon College

## Content Capture Policy

## Document Control

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### APPROVAL

Ver	Committee	Date Approved	Comments
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<b>1</b>	<b>Introduction</b>
<b>1.1</b>	<b>Purpose</b>
1.1.1	This document sets out the South Devon College’s policy on the recording of lectures and other educational activities using any of our Capture system, including Teams (as the preferred strategic tool for content capture) as well as Zoom and other software and hardware applications. This policy is designed to ensure that (a) provision of recorded content is comprehensive, consistent and efficient and enhances the student experience (b) Students and staff are clear on their rights and responsibilities when lectures are recorded. This policy applies to both employees and students of the College.
1.1.2	The term content captured has been chosen <b>to go beyond the recording of live teaching events</b> to promote the creation and repurposing of digital content. Educational activities that may be recorded include lectures, seminars, laboratory demonstrations, presentations or other academic teaching and student assessments.
1.1.3	This policy is designed to promote the <b>purposeful use</b> of content capture. The purposeful use of content capture means, approaches that are appropriate to the discipline, enrich learning and support inclusive teaching. The College recognises and acknowledges that: <ul style="list-style-type: none"> <li>• The recording of content has to be appropriate to the need;</li> <li>• Not all synchronous teaching styles may be suitable for capture; where this is not possible Content capture may require a change in delivery or teaching style.</li> <li>• Support will be provided to investigate and implement ways of capturing all teaching styles; and</li> <li>• Content capture is provided to supplement the student experience, and will not act a replacement of student contact hours</li> </ul>
1.1.4	<b>Background and strategic aims</b> The Teaching and Learning Policy reflects the intent for teaching and learning for which Content Capture relates
<b>1.3</b>	<b>Definitions</b>
1.3.1	Captured content might include: <ul style="list-style-type: none"> <li>• recordings of live teaching (also known as lecture capture) (can be audio, or Audio and Visual) to aid teaching, revision and notetaking for all students and as part of any reasonable adjustment for differently abled students</li> <li>• recordings of online teaching sessions (using suitable webinar tools like MS Teams).</li> <li>• recordings of content created to review or demonstrate key concepts or develop procedural knowledge</li> </ul>

<b>2</b>	<b>Policy</b>
<b>2.1</b>	<b>Principles</b>
2.1.1	<p>Consideration will be given to discipline, level and the approach to teaching being used to determine how and if content capture will be used.</p> <p>In Higher Education Content Capture has become an established approach within the majority of sessions.</p>
2.1.3	The approach to content capture should be explained in Student Handbooks and in other student facing material, including a statement of what captured content will be offered and expectations of how these resources should be used by students.
2.1.4	<p>The College recognises that the recording of content may not be appropriate if the content:</p> <ul style="list-style-type: none"> <li>• contains confidential or personal or sensitive information;</li> <li>• is commercially or politically sensitive;</li> <li>• contains content that belongs to a third party and that we do not have permission to use and record, that cannot be edited out; or</li> <li>• includes such a degree of interaction that recording is not viable</li> <li>• Staff have the discretion to decide what is appropriate and to stop recording as necessary</li> </ul>
2.1.5	Content recordings will be uploaded for access by students. Access to recordings will be limited by permissions provided from the platform. Students will only be able to access content related to their programme of study and are not permitted to download or edit any content.
2.1.6	Other than as detailed herein, or in exceptional cases and after consultation with the relevant academic and professional services colleagues, recordings will not be available for access to third parties who do not have access to the platform.
2.1.7	Recordings may be used by the College for promotional or advertising activities and in applicant and open days. In these cases consent of parties will be sought .....
<b>2.2</b>	<b>Accessibility and inclusivity</b>
2.2.1	<p>Under the Equality Act (2010), the College has a legal obligation to provide reasonable adjustments to enable students with disabilities to fully access material provided as part of their programme. Appropriate reasonable adjustments will be detailed in the student's Learning Support Agreement. In many cases this will include access to audio-visual content and/or recordings of live teaching events. In addition, some students may be entitled to make an audio recording of the lecture with their own device, on the understanding that this is for personal study use only. In this situation, students should inform their teaching staff prior to doing so, who will in turn inform students in the class. Students who consider they require additional adjustments should seek advice from HE disability support or the PI team</p>
2.2.2	On developing inclusive and student-centred curricula, and obligations under the Equality Act (2010) approaches to captured content developed by curriculum must also explicitly anticipate and respect the needs of individual learners and diverse learning communities (UKPSF, 2011). This should include how students who are entitled to reasonable adjustments can access core module content.
<b>2.3</b>	<b>Use of recordings</b>

2.3.1	Content Recordings are not intended as a replacement for face to face teaching, but as an augmented learning resource relevant to the particular cohort of students.
2.3.2	Academic colleagues are encouraged to discuss their use of captured content as an example of teaching excellence in PPDR, peer reviews and toward applications for awards
2.3.3	<p>a. In the event of a member of staff participating in industrial action organised by a staff representative body recognised by the College and their Union having given appropriate notice to the College, the College will not retrieve and use recordings (without explicit permission from the content author) which have not already been released to the current year’s students through the platform, or re-use material already created.</p> <p>b. Curriculum may use a recording held within the content recording service in exceptional situations to provide continuity, as suitable for business continuity relevant to the Curriculum. Examples of exceptional situations include disruption from a pandemic or other natural event. The Curriculum Head will, where reasonably possible, inform the content author beforehand that their content is to be used and for what purpose, and the content author will retain the right not to permit this use. If the content author, acting reasonably, objects to use for this purpose, the Curriculum will not be permitted to use the recording.</p>
2.3.4	Captured content material is not designed nor intended as a tool for staff disciplinary proceedings. However, the College reserves the right to make use of materials in cases where an incident may be captured that requires investigation.
2.3.6	Recordings will normally be available to students for their year of study
2.3.7	In accordance with the College’s intellectual property policy and employees’ terms and conditions of employment, the College owns the intellectual property in the content of lectures and other teaching sessions conducted by employees and is also the owner of the intellectual property in any recordings made by it or on its behalf.
2.3.8	While the intellectual property resides with the College, performers’ rights are owned by the author(s) and licensed to the College. By using the content recording service, staff, students, visiting lecturers and other participants consent to the College recording them and agree to give the College the licences necessary to use the recordings for the essential purpose in this policy.

2.3.9	External visiting lecturers (or their employer as appropriate) retain copyright on work and any other intellectual property rights they generate and, by accepting the terms of the external visiting lecturer agreement on lecture recording, agree to grant the College a non-exclusive licence to use the recording for the essential purpose in this policy.
2.3.10	In the event of a member of staff's employment with the College ending, the College may retain their recordings in accordance with the data retention policy unless the staff arranges to delete or transfer them in agreement with the Curriculum Head. A former employee wishing to use a content recording should contact the Curriculum Head responsible for the Course to consider the suitability of its transfer.
<b>2.4</b>	<b>Student recording of content</b>
2.4.1	The College's Equality and Diversity Policy outlines our aims to provide a supportive and inclusive learning, working and social environment. This includes a commitment to make reasonable adjustments for students with a disability, as outlined in the Equality Act 2010. This may include allowing disabled students to make their own recordings or access the College's recordings. Students may also record or access the recording of a lecture they are unable to attend for religious or other reasons. The introduction of content capture across the College will support these aims, but there will remain circumstances where additional or bespoke adjustments are required.
2.4.2	If a student taking part in an educational activity is registered with DSA or otherwise has a protected characteristic that has been notified to the College, that requires the reasonable adjustment of the provision of recorded material, then unless exceptional circumstances prevent it, the College will use its reasonable endeavours to enable the student to make their own recording of the educational activity or to procure that a recording will be made of that educational activity by the College, as agreed in advance with the student.
2.4.3	The College recommends that the student inform the lecturer in advance that they will be recording the educational activity or consent to Disability services or the Personal Tutor informing all relevant persons. If the student does not wish to inform the lecturer, the student should discuss this with Disability Services or the Personal Tutor. The student and the relevant lecturer should ensure that a discussion takes place before the educational activity to agree the appropriate arrangements. If such recording is required in order for the College to meet its legal obligations, unless there are exceptional circumstances preventing the recording, the recording must be allowed to take place, subject to Section 2.1.4. Any such exceptional circumstances should be discussed in advance with the Personal Tutor.
2.4.4	Where a reasonable adjustment is required and a recording is not possible, the lecturer should provide an alternative means of support. Further advice should be sought from Disability Services.
2.4.5	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 College.
2.4.6	Recording devices must be kept with the student at all times and may not be placed on the lectern/lab table unless required for any disability or other legal reasons.
2.4.7	If the College supplies or makes recordings of lectures or other academic teaching available to students: <ul style="list-style-type: none"> <li>• the College will own the copyright and all other intellectual property rights in the recordings; and</li> <li>• the recordings must only be used by the student as a personal aid for study purposes.</li> </ul>

<b>2.5</b>	<b>Misuse of recordings</b>
2.5.1	Recordings are provided for students' personal use and are for educational purposes only. Recordings may not be redistributed, edited or re-used. Redistribution includes, but is not limited to, sending a copy to another person by email and/or adding it to a website/social media website/cloud storage service e.g. DropBox.
2.5.2	Misuse of recordings will be treated as misconduct and handled as a disciplinary matter under the Student Disciplinary Regulations, the Regulations for Fitness to Practise/PI, the Staff Disciplinary Policy or as appropriate.
2.5.3	If staff, or former members of staff, believe that the College might have used, or be considering using, their recordings outside of the terms of this Policy, their concerns should be raised with their Line Manager (or in the case of former staff, the current post holder of line management) who will review and where necessary follow the procedures set out in the Intellectual Property Code that deals with the resolution of disputes.
<b>2.6</b>	<b>Copyright</b>
2.6.1	The College requires that all users abide by the laws of copyright and fair dealing. Any use of third-party content in teaching activities must adhere to copyright law. It is the responsibility of individual members of staff to ensure that the material used for teaching and learning activities is copyright cleared for the specific purpose.
2.6.2	If a student or member of staff becomes aware that any material which infringes copyright is included within recordings, they must contact the local owner responsible for the content immediately.
2.6.3	If a member of staff, student or ex-student breaks the College's copyright, the College has recourse to legal action as per the Copyright Policy.
<b>2.7</b>	<b>Complaints and academic appeals</b>
2.7.1	If a student or member of staff becomes aware of any material which is defamatory or inaccurate within captured content, or any other reason why it would be expedient for the College to recall this content, they must contact the local owner responsible for the content, or Curriculum Head immediately. If the response of the local owner is not satisfactory: <ul style="list-style-type: none"> <li>• students are asked to follow the procedures for <a href="#">Complaints</a></li> <li>• staff are asked to follow the Grievance Policy</li> </ul>
2.7.2	The use of captured content as evidence in academic appeals is covered by the Academic Regulations or equivalent. This states that challenges to academic judgement will not be considered. Academic judgement includes opinions expressed in captured content including live teaching events.
<b>2.8</b>	<b>Data processing</b>
2.8.1	All personal data contained in recordings will be processed in accordance with the General Data Protection Regulations (GDPR, 2018). When triggering a recording via Panopto, staff confirm their consent to creating this recording.
2.8.2	Having made a recording, creators can share it with their students. Academics control access to their recordings and can choose to make them available to students. In most instances this will be via MS Teams
2.8.3	Where external lecturers or other guests are being recorded, the inviting department must seek their explicit, opt-in consent to the recording,

2.8.4	At the beginning of class, staff should advise students that a session is being recorded and of their right not to be recorded. A student has the right to ask for their contribution(s) not to be recorded or to be removed in accordance with GDPR (Data Protection Act 2018). Exceptions might include when the recording is an explicit requirement of a College award (for example a recording of assessed presentations for review and marking purposes).
2.8.6	The College has the right to take down and delete any recordings that have taken place without appropriate consent.