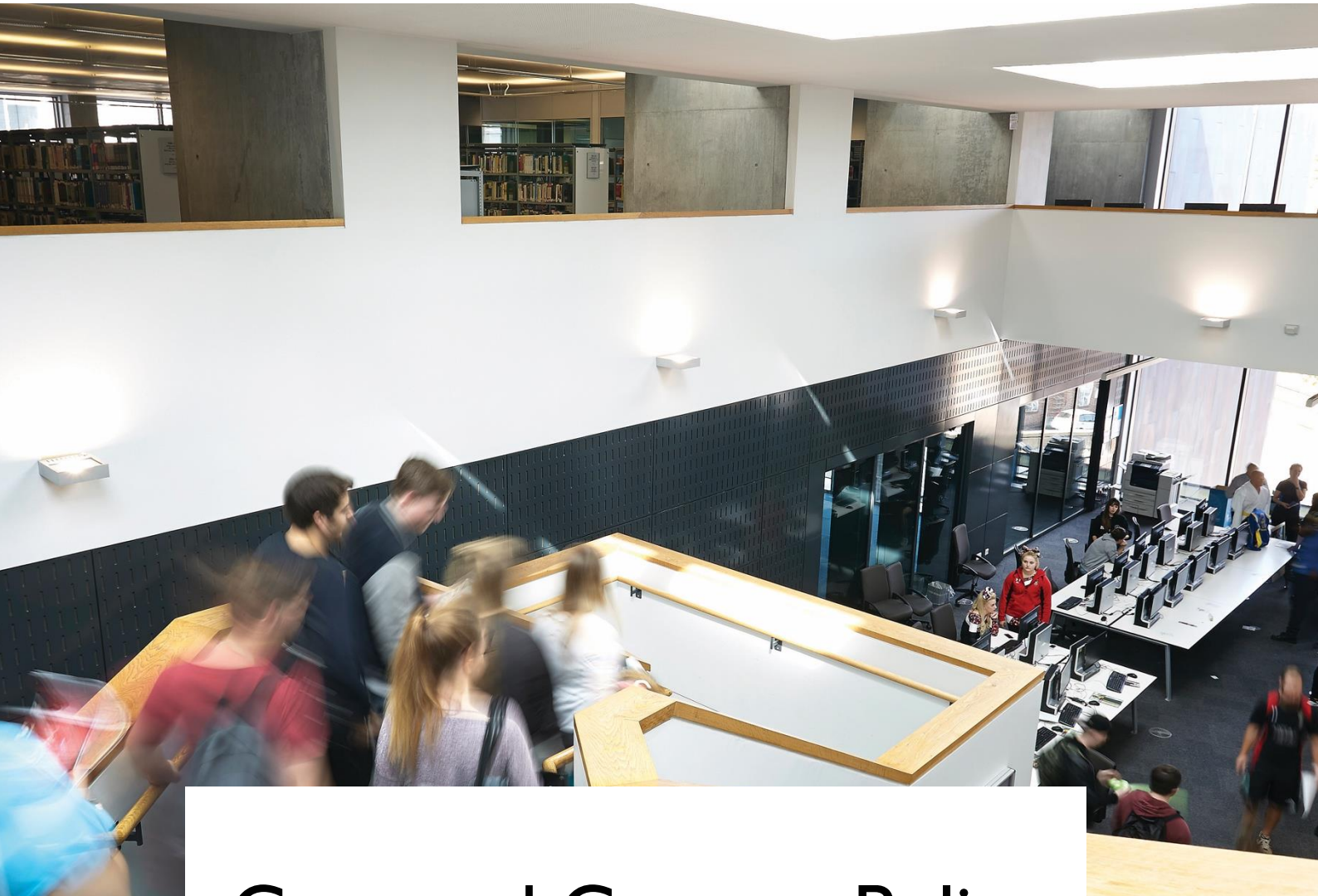




BUCKINGHAMSHIRE
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Captured Content Policy



Contents

Purpose.....	2
Applicability and Scope.....	2
Policy Intent.....	2
Definitions	3
General Principles	3
Recordings of Live Teaching Sessions	5
Reusable Learning Resources	6
Digital Accessibility.....	6
Visiting Staff	6
Other Legal Considerations	6
Guidance for Students.....	7
Managing Recorded Content	8
Enforcement.....	8
Key Relevant Documents.....	8
Appendix: Equality Impact Assessment	9

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Purpose

- 1 Buckinghamshire New University is committed to providing students with a sector-leading learning experience. Content capture serves to enhance the student experience by making available a wide range of recorded learning content, including for example, lectures, topic summaries and resources. Content capture further enhances the capabilities of the existing Virtual Learning Environment by giving staff the capacity to record, edit and enrich video learning content and live sessions before making it available to students via the relevant module on the system.
- 2 There are many benefits to recording for educational purposes, including: supporting blended and hybrid learning approaches, providing greater flexibility for learners and providing students with the opportunity to review and reflect on their learning. It also supports widening accessibility for students with both identified and previously unidentified additional learning support needs, or students for whom English is not their first language.
- 3 The term captured content promotes the creation and repurposing of digital content, including and extending beyond the recording of 'live' teaching events.
- 4 The University recognises and acknowledges, however, that not all teaching approaches are suitable for recording. Some material and discussion will be of a sensitive nature and will not be appropriate to record. Hence, the University's approach to captured content is broad, wide-ranging and inclusive. It does not prioritise the recording of 'live' teaching sessions to the detriment of the full scope of other forms of captured content that may be more pedagogically appropriate or discipline appropriate. The policy is designed to ensure that all students on all modules have access to captured content.
- 5 This policy should not prevent staff from choosing the most appropriate teaching approach for their subject area.
- 6 Staff should maintain their scheduled contact time with students, but captured content is provided to enrich and support the student experience. The importance of the 'live' teaching event remains, and captured content extends that experience through 'on demand' recorded learning content.
- 7 This policy supports the Education and Digital Strategies and should be read in conjunction with the University's information governance and security policies, including Data Protection, Records Management, Records Retention, Intellectual Property and Copyright.

Applicability and Scope

- 8 This policy applies to the recording of audio and video learning content for educational purposes, either as live sessions or as scheduled teaching sessions for educational purposes, which may be face-to-face, blended/hybrid or wholly online.

Policy Intent

- 9 This policy outlines the University's approach to educational recording for all staff, students and other stakeholders who are involved in teaching in the institution. The policy describes the

circumstances in which recording may take place, the respective responsibilities of those involved in such recording, and the implications of breaches of this policy.

- 10 Students will be informed of the policy at enrolment. It will form a component of the Student Code of Conduct. New staff will be informed of the policy through the induction process. Existing staff will be made aware of the policy through their heads of department and via announcements.

Definitions

- 11 **Content Capture (and Captured Content)** refers to the action or process of capturing sound and/or visual images of a teaching session, as well as other audiovisual materials that enrich the learning experience.
- 12 **Learning Content** refers to taught course materials that can be developed by staff for learning and teaching. Learning Content can include captured content and must be managed as information assets through a defined lifecycle.
- 13 **Recorded Content** is audio or video material that has been created by staff or students for learning and teaching using a capture software solution (this includes lecture capture on a platform like Panopto). Recorded Content can be captured content and must be managed as information assets through a defined lifecycle.

General Principles

- 14 The University's strategy identifies digital transformation in support of teaching and learning to be a priority. The use of digital resources and the creation of digital materials are considered as being vital tools for enhancing the quality of the student experience.
- 15 The creation of digital material for educational purposes is also one of the resources which supports the University's implementation of the Equality Act (2010) and helps meet its statutory duty to provide anticipatory reasonable adjustments.
- 16 The use of captured content in the delivery of teaching is mandatory and a baseline expectation for all modules and is part of the University's approach to providing a high-quality academic experience for all students in line with the Office of Students Conditions of Registration.
- 17 This includes the recording of all 'live' teaching sessions where possible with a minimum expectation that the audio will be recorded and supported by presentation materials.
- 18 It is recognised that not all teaching activities are suitable to be recorded, hence why the University's approach to captured content extends beyond the recording of 'live' teaching events. It is the responsibility of each School to implement a purposeful approach to captured content that is appropriate for the pedagogic and subject context.
- 19 There is an expectation that all forms, or part thereof, of taught sessions will be captured, wherever possible. If a 'live' teaching session cannot be recorded, then other appropriate forms of captured content should be provided to support student learning. This might include, for example, a recorded summary of the key themes or topics for a particular teaching week; recorded content supporting an

assessment activity; Creative Commons video content, such as a TED talk; or audiovisual guidance on key resources.

- 20 Staff should maintain their scheduled contact time with students. Students are expected to attend scheduled sessions whenever possible to contribute to and learn from live group activities, and to keep pace with learning schedules, supporting positive wellbeing. The use of captured content should be a complementary addition to these activities, and not a general replacement.
- 21 Staff must make it clear to students when they are delivering a teaching session that it is being recorded. Sessions considered as suitable for recording are 'broadcast' elements of the teaching session where a staff member transmits information to students and classes where the student voice is not a core part of the session.
- 22 Where the student voice is present in a broadcast lecture, staff can either confirm recording with the students and continue or pause recording during discussions.
- 23 Staff must make it clear to students when a session or topic will not be recorded. Reasons for not recording include but are not limited to the following:
 - interactive sessions where student contributions are required and where full consent of participants is impossible;
 - where students are discussing sensitive issues;
 - where content contains personal information;
 - where research confidentiality could be breached;
 - where a guest lecturer external to the University has not consented to be recorded; or
 - where content includes commercially purchased DVDs/CDs/downloads.
- 24 As such, recordings of seminars, tutorials and other small group learning activities will only take place where the staff member deems it practical. If it is not deemed practical, then other forms of captured content will be used to enrich the learning experience.
- 25 Staff should ensure they have appropriate copyright clearance for material included in their Learning Content and captured session recordings. Staff are encouraged to make use of freely licensed and Creative Commons content wherever practical and to provide visible citations on slides when referencing third-party material.
- 26 If staff become aware of any infringing material included within the material in their recorded content and captured session recordings, they should immediately remove such infringing material, including deleting the recording from the University system.
- 27 All recordings must be stored securely on University systems with appropriate data protection controls. Recorded Content will only be for the use of students enrolled on the relevant module in the academic year in which the recording is made. They will also be accessible to University staff who have authorised access, such as module teaching teams and system administrators. Save in respect of reusable learning resources (see below), Recorded Content should be deleted after the module run has been completed, although this is not currently automated. Staff can do this themselves or request support from Digital Learning.

- 28 Except as otherwise agreed between the University and staff, recordings are not for public consumption or distribution.
- 29 Captured content is not designed as a tool for performance or capability management of staff, and there is no intention that it will be used in performance or capability proceedings. Nor will it be used, other than in exceptional circumstances, in disciplinary proceedings.
- 30 Captured content is not designed as a tool for monitoring or assessing the performance or progress of students. Nor will it be used, other than in exceptional circumstances, in disciplinary proceedings relating to breaches of the student or staff Code of Conduct.

Recordings of Live Teaching Sessions

- 31 Staff are expected to make audio recordings of broadcast elements of lectures, with screen capture of slides/presentation material, or if deemed not appropriate, then provide another form of captured content to enhance the learning experience. This is the case for in-person and online lectures. There is no requirement for video capture of the lecturer, but staff may enable this function if they wish.
- 32 Recordings of 'live' teaching events are available on Blackboard following the captured session via a link to Panopto. Staff should communicate to students that lecture capture recordings are not intended as a substitute for attendance at scheduled sessions.
- 33 The University recognises that whilst the content of teaching sessions remains the property of the University, it is only in the act of recording that issues of ownership arise. Verbal and or/physical contributions to learning activities by students and staff in the recording, performance rights, remain the intellectual property of their authors. This policy should be read in conjunction with the Intellectual Property Policy.
- 34 Students are generally permitted to make audio (not video) recordings of broadcast lectures on personal devices solely for their personal educational use. Staff are entitled to withhold permission, but they are also encouraged to consider the inclusive nature of such recordings, and how these may support all students when making their decision.
- 35 Staff should permit personal recording by students where to do so would be a reasonable adjustment. If there is any doubt as to whether recording is required as an adjustment, the recording should be permitted. Students may not make clear whether their request is due to needing a reasonable adjustment. Staff should seek advice from the Inclusion, Diversity and Disability Team in these circumstances.
- 36 A permitted personal recording made by a student must not be reproduced or passed on to anyone else (other than for transcription purposes in connection with the student's studies) or posted on external websites including social networks. A student doing so will face action under the University's disciplinary procedures. Once the recording has served its purpose, it should be erased by the student. This will normally be after successful completion of the module on which the recording was captured.
- 37 Guidance for alternative reasonable adjustments for disabled students where it is inappropriate to permit recording may be sought by contacting the Student Inclusion, Diversity and Disability Team.

Reusable Learning Resources

- 38 Where appropriate, staff are encouraged to create reusable learning resources (i.e. Learning Content) as part of blended delivery or flipped learning. Staff may wish to create recordings (i.e. Recorded Content) that concentrate on core concepts, skills and techniques, or are related to assessment tasks and processes. Such audio/video recordings may be offered to students in addition to scheduled sessions (as Captured Content) if staff believe the time spent preparing the materials supports the cohort in a resource-effective and autonomous manner, reducing repetitive individual student queries. This content may be reused over different academic years as appropriate.

Digital Accessibility

- 39 There is a legal requirement under the accessibility regulations that video recordings are captioned and accessible. Good design principles include clarity of language, use of higher contrast colours and alternative text for images and captioning.
- 40 Where a student has an individual learning requirement, there is an expectation that the Student Inclusion, Diversity and Disability Team will advise on any requirements to make reasonable adjustments.
- 41 Recordings made using the Panopto recording system will automatically have captions applied. Learning Content made using other systems, typically MS Teams or Blackboard Collaborate, will require that those recordings are downloaded and then uploaded to Panopto and the original recording deleted. Full details on how this may be undertaken are contained within the digital learning pages of the staff intranet.

Visiting Staff

- 42 If a visiting lecturer teaches on a module where educational recording is used regularly, it is the responsibility of the staff member who invited the guest speaker to forward them this policy, to check whether they agree to be captured, and to keep their permission on file.
- 43 A staff member inviting a visiting lecturer should also seek (and retain evidence of) their consent before their Recorded Content is made available to the student cohort.
- 44 Visiting lecturers will retain their copyright in a recording made of them or by them. As such, their materials can only be used for educational purposes with their permission.

Other Legal Considerations

- 45 The University owns the copyright in recordings made by its employees in the course of their employment (or duties assigned to them) or where a recording is made automatically and the University has made the arrangements for that to happen.
- 46 All staff must comply with copyright legislation relating to their teaching and educational activities. Staff are encouraged to make use of freely licensed and Creative Commons content wherever practical and appropriate.

- 47 The University agrees and acknowledges that all performers' rights that academics or students may have in their performance that are captured in a recording are owned by the performing academic or student.
- 48 The University's Data Protection Policy allows the University as 'data controller' to process personal data, for education and student/staff support services where there is an identifiable need. However, an opt out must be provided to ensure fairness for non-University staff or non-University students partaking in a 'live' or pre-recorded teaching session, in which case consent should be obtained to undertake the recording.
- 49 The University retains the right to withdraw a recording at any time if concern is raised due to potential copyright infringement or data protection issues. If this happens, the relevant staff member who has produced the recording will immediately be informed of the particular concerns raised, and, where this is an option, will be given the opportunity to edit the recording to remove the part(s) for which concerns were raised.

Guidance for Students

- 50 Students should not misuse, share externally, or edit educational recordings. These recordings are to be used as an educational aid to study only. Any breach will be subject to disciplinary action as detailed in the Student Code of Conduct.
- 51 Recorded Content will normally only be available to current and registered students of the University unless otherwise agreed by the relevant lecturer(s) who have been recorded in that content.
- 52 Lecturers should ensure that students are aware that a session is being recorded. This can be done verbally at the start of a lecture, by announcing on a presentation slide, or by posting in the module area in the VLE.
- 53 The lecturer has the right to apply discretion and pause or subsequently edit a recording, for example if sensitive material is being taught or if the recording is considered to be interfering with interactive teaching.
- 54 Students may opt-out of being recorded or to ask that their contribution be edited out. Any student not wishing to be recorded should notify the lecturer at the start of the class or let the lecturer know in writing that they want their contribution edited out of the recording after the session. Students are not permitted to request opt-out of recordings where a recording is an explicit requirement of a University award (e.g. recording of assessed presentations), except in exceptional circumstances.
- 55 Recorded Content made by or downloaded by students, must be deleted once the relevant module has been completed, or they cease to be a student of the University whichever is sooner.
- 56 Recorded Content will normally be made available online to students within seven days of the recording taking place.
- 57 Students may download a recording where this improves accessibility of materials. Automatic captioning/transcriptions are available for all students to access if required.

Managing Recorded Content

- 58 Captured Content will be preserved at the end of the academic year but will be managed differently depending on whether it is categorised as Recorded Content or Learning Content as defined in the Retention Policy for Learning Systems Content.
- 59 Recording of teaching without an audience such as a presentation or lecture that has been categorised as Learning Content will be retained according to the timescales defined by the University's Record Retention Schedule.
- 60 Recording of live teaching sessions where audience participation has been removed so only the broadcast elements remain and that has been categorised as Learning Content will be retained according to the timescales defined by the University's Record Retention Schedule.
- 61 Recording of live teaching sessions that include audience participation or interaction will be categorised as Recorded Content will be retained according to the timescales defined by the University's Record Retention Schedule.

Enforcement

- 62 Any actual or suspected breach of this policy – such as sharing content externally on social media or editing educational recordings – must be reported to the Director of DTS via the most suitable channel. The Director of DTS will take appropriate action and inform the relevant internal and external authorities.
- 63 Failure to comply with this policy may result in disciplinary action in accordance with the relevant process.

Key Relevant Documents

- 64 This policy should be read and understood in the context of other Buckinghamshire New University Policies which together form the Information Security framework. Key documents include:
- Data Protection Policy
 - Information Security Policy
 - Records Management Policy
 - Records Retention Schedule
 - Intellectual Property - Policy and Procedures
 - Student Code of Conduct

Appendix: Equality Impact Assessment

1. What is changing and why?				
This policy forms part of the University's Information Security policy framework. It sets out the University's policy for Content Capture of scheduled teaching sessions (either face-to-face or online) and Custom Recording.				
2. What do you know?				
The policy applies to all staff and students and is about their responsibilities around lecture recording and the availability of it.				
3. Assessing the impact				
	Could benefit	May adversely impact	What does this mean? <i>Impacts identified from what you know (actual and potential)</i>	What can you do? <i>Actions (or why no action is possible) to advance equality of opportunity, eliminate discrimination, and foster good relations</i>
a) How could this affect different ethnicities? <i>Including Gypsy, Roma, Traveller, Showmen and Boaters, migrants, refugees and asylum seekers.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Could benefit</u> This policy could have a positive impact on those who have English as a second language, who would benefit from having the opportunity to review the lecture content more than once. Digital content will also be captioned.	Access to computers is provided 24-hours a day so there should be no disadvantage to those users who may not have their own device or a device with the capability of viewing the recording.
b) How could this affect cisgender and transgender men and women (including maternity/pregnancy impact), as well as non-binary people?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Could benefit</u> This policy benefits everyone regardless of gender, gender reassignment whether on maternity or paternity leave including whether the woman is pregnant or is/has previously been absent due to maternity leave. However, by providing access to a recording it could be beneficial to those who are not able to attend the lecture in person due to health or other reasons.	
c) How could this affect disabled people or carers? <i>Including neurodiversity, invisible disabilities and mental health conditions.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Could benefit</u> This policy could have a positive impact on those students with diverse needs. Recordings of teaching sessions will support a range of accessibility and inclusivity needs by providing captions or transcripts and audio descriptions of any visual content. This is benefit is further increased by having a wider range of captured digital content for learning and revision purposes.	There is the potential for staff being recorded to be disadvantaged – for example staff with specific disabilities may be uncomfortable about being recorded. However, the policy makes provision for other types of content capture which can be created pre, during or post the session using a range of different tools.

			The creation and availability of different digital content also support different learning styles. Watching the recording of a teaching session could provide additional support to those who may find physical attendance overwhelming or those who experience debilitating anxiety as a result of missing a class.	Although the policy has been widely consulted it will be kept under review and any concerns will be addressed as they arise. The policy is available on the BNU intranet (BEN) therefore is available in different fonts, text size and through assistive technology.
d) How could this affect people from different faith groups?	<input type="checkbox"/>	<input type="checkbox"/>	<u>Neutral impact</u> This policy benefits everyone regardless of religion or belief. It protects the interest of all users.	
e) How could this affect people with different sexual orientations?	<input type="checkbox"/>	<input type="checkbox"/>	<u>Neutral impact</u> This policy benefits everyone regardless of sexual orientation. It protects the interest of all users.	
f) How could this affect different age groups or generations?	<input type="checkbox"/>	<input type="checkbox"/>	<u>Neutral impact</u> This policy benefits everyone regardless of age. It protects the interest of all users.	
g) How could this affect those who are married or in a civil partnership?	<input type="checkbox"/>	<input type="checkbox"/>	<u>Neutral impact</u> This policy benefits everyone regardless of marital status. It protects the interest of all users.	
h) How could this affect people from different backgrounds such as: socio-economic disadvantage, homeless, alcohol and/or substance misuse, people experiencing domestic and/or sexual violence, ex-armed forces, looked after children and care leavers.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Could benefit</u> Captured content provides the opportunity for those who may not be able to attend the session in person the opportunity to catch-up at a time and location that is more convenient.	Access to computers is provided 24-hours a day so there should be no disadvantage to those users who may not have their own device or a device with the capability of viewing the recording.
i) How could this affect people with multiple intersectional experiences?	<input type="checkbox"/>	<input type="checkbox"/>	<u>Neutral impact</u> This policy benefits everyone in different ways therefore there is no cumulative impact on users.	
4. Overall outcome				
No major change needed <input checked="" type="checkbox"/>	Adjust approach <input type="checkbox"/>	Adverse impact but continue <input type="checkbox"/>	Stop and remove <input type="checkbox"/>	
5. Details of further actions needed				
Staff and students will be made aware of the updated policy via an announcement on the staff intranet and student portal; The policy is accessible to all users as a PDF document on the university web site; The inappropriate use of the Policy will be managed in accordance with the University's policies and procedures and reported to external bodies when appropriate.				

6. Arrangements for delivery and future monitoring

The policy will be reviewed every three years to ensure that it still meets the requirement of the University and Data Protection Regulations. Any changes to data protection legislation and analysis of the policy in practise will inform future changes.

The Director of Digital & Technical Services is responsible for reviewing the policy on a three-year basis.

7. Completed by:	Jenny Horwood	Technical Project Manager	Date	30-November-2023
8. Signed off by:	Nicholas Roussel-Milner	Director of DTS	Date	30/11/2023



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