Name of your Procedure Captured Content Procedure 2022-24	
Enabling Policy Statement; Executive Owner; Approval Route:	Our Education - PVC, Academic - Executive Board
Associated Policy Statements:	Our Data
Authorised Owner:	Head of Digital Learning
Authorised Co-ordinator:	Academic Registrar
Effective date:	September 2022
Due date for full review:	September 2024
Sub documentation:	N/A.

Approval History

Version	Reason for review	Approval Route	Date
1	Policy first agreed after extensive consultation	Steering group, ULTC, Senate	22/05/2018
		ULTC	01/06/2018
		Senate	02/07/2018
2	To take account of the Hybrid Education approach implemented in response to Covid-19.	ULTC	31/07/2020
		Senate	07/08/2020
3	To align with the Guidance on Learning and Teaching Provision from 2022/23.	Student Success Sub-Committee	17/05/2022
		University Education Committee	07/06/2022
		Senate	05/07/2022
		Executive Board	20/09/2022

1. **Purpose**

    1.1. This procedure is designed to ensure access to captured content for all students on all modules.
    1.2. The term captured content has been chosen to go beyond the recording of live teaching events to promote the creation and repurposing of digital content.
    1.3. This procedure is designed to promote the purposeful use of captured content. The purposeful use of captured content means approaches that are appropriate to the discipline, enrich learning and support inclusive teaching.
    1.4. It is the responsibility of academic departments to implement a purposeful approach to capturing content that includes consideration of the potential benefits and challenges of captured content for both staff and students, and the needs of students. Schools/departments should ensure that they comply with the Guidance on Learning and Teaching Provision from 2022/23
    1.5. This procedure is designed to align with the Guidance on Learning and Teaching Provision from 2022/23.
    1.6. This procedure supports the following objectives of the University's Education Strategy:
    - Ensure all of our programmes are designed to enable all of our students to achieve the core graduate attributes that are central to the 'Surrey Advantage'.
    - Support students from all backgrounds with high academic potential to join our programmes, and create the conditions for all of our students to realise their goals.
    - Be leaders in developing, embedding, and disseminating effective and innovative practices in relation to all aspects of pedagogy across our programmes.
    - Develop innovative, learning environments on and off campus, building on the hybrid education model.
    - Continue to lead in our academic support for employability, professional development and professional training.

2. **Scope and Exceptions to the Procedure**

    2.1. This procedure applies to all students and academic staff, including visiting lecturers. It also applies to Professional Services staff, particularly those in the Surrey Institute of Education (SIoE), Library and Learning Support and IT Services.

3. **Definitions and Terminology**

    3.1. Captured content might include:
    - recordings of live teaching (also known as lecture capture) to aid revision and notetaking for all students and as part of a reasonable adjustment for disabled students
    - recordings of content created to review or demonstrate key concepts or develop procedural knowledge
    - links to existing educational videos

4. **Procedural Principles**

    4.1. Students can expect access to captured content for every module that is appropriate for their discipline, level and the approach to teaching being used. **This provision should align with the following principles from the Guidance on Learning and Teaching Provision from 2022/23:**
    - We should continue to offer a range of live, captured, independent and guided learning to support students and prepare them for assessment.
    - Module descriptors should continue to show how many learning hours are allocated to each category.

- We would normally expect modules to involve at least two hours of live learning each week. This may involve lectures, seminars, workshops, practicals, laboratories and performance work.
- All planned synchronous lectures will be delivered live and in-person. They will also be recorded and made available on SurreyLearn so that students are able to engage with content again following the session.
- Workshops, labs, tutorials and seminars will all be held in person but will not usually be recorded because, in many instances, we cannot meaningfully capture all content.
- Modules that operate primarily based on seminars should provide captured content via SurreyLearn on a weekly basis or, where appropriate, record relevant didactic parts of the seminar and release them via SurreyLearn.

4.2. Under the Equality Act (2010), the University has a legal obligation to provide reasonable adjustments to enable disabled students 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. Students who consider they require additional adjustments should contact the Disability and Neurodiversity team.

4.3. The provision of captured content helps to provide a more inclusive learning environment. Inclusive teaching approaches, in many cases, negate the need for disabled students to have 'special arrangements' put in place and students who do not wish to disclose their disability will also benefit from these. The provision of individual reasonable adjustments should be seen as an additional form of support for students with specific needs that are not met by the wider inclusive teaching approach.

4.4. The University's Education Strategy includes the objectives of 'building on the hybrid education model' creating 'the conditions for all of our students to realise their goals' and 'developing, embedding, and disseminating effective and innovative practices in relation to all aspects of pedagogy across our programmes'. In the light of these objectives and obligations under the Equality Act (2010) the use of captured content by departments should 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.

4.5. Recordings of live teaching sessions (lectures/tutorials/workshops/lab/simulation/studio-based teaching) are not normally intended as a replacement for face to face teaching, but as an additional learning resource relevant to the particular cohort of students.

4.6. Captured content is not used as a metric in the staff appraisal process. However, academic colleagues are encouraged to discuss their use of captured content as an example of teaching excellence in appraisals and applications for awards and promotions.

4.7. In the event of a member of staff participating in industrial action organised by a staff representative body recognised by the University and their Union having given appropriate notice to the University, the University will not retrieve and use recordings which have not already been released to the current year's students through SurreyLearn.

4.8. Captured content material is not designed nor intended as a tool for staff disciplinary proceedings. However, the University reserves the right to make use of materials in cases where an incident may be captured that requires investigation.

4.9. The default setting within Panopto is that recordings cannot be downloaded by students. This setting can only be changed with the consent of the creator if it is an appropriate learning adjustment or there are significant barriers to online viewing.

4.10. Recordings will normally be available to students for the length of their programme. At the end of the programme, recordings that are no longer needed will be archived or deleted.

4.11.   The rights of University employees in relation to e-learning materials and recordings are covered by the Intellectual Property Code. While the intellectual property resides with the University, performers' rights are owned by the author(s) and licensed to the University. Staff will be asked to give their consent to these arrangements.

4.12.   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.

4.13.   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, the Staff Disciplinary Policy, or the Dignity at Work and Study Policy, as appropriate.

4.14.   If staff, or former members of staff, believe that the University 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.

4.15.   The University 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.

4.16.   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.

4.17.   If a member of staff, student or ex-student breaks the University's copyright, the University has recourse to legal action as per the Copyright Policy.

4.18.   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 University to recall this content, they must contact the local owner responsible for the content immediately. If the response of the local owner is not satisfactory:
- students are asked to follow the procedures in the Procedures for Complaints
- staff are asked to follow the Grievance Policy

4.19.   The use of captured content as evidence in academic appeals is covered by the Academic Appeals Regulations. This states that challenges to academic judgement will not be considered. Academic judgement includes opinions expressed in captured content including live teaching events.

4.20.   All personal data contained in recordings made available through Panopto will be processed in accordance with the General Data Protection Regulations (UK GDPR) 2018 and the Data Protection Act (DPA) 2018. When triggering a recording via Panopto, staff confirm their consent to creating this recording. (See Panopto Privacy Notice).

4.21.   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 a specific module in SurreyLearn.

4.22.   Where external lecturers or other guests are being recorded, the inviting department must seek their explicit, opt-in consent to the recording, and keep records of this, unless this is already covered in a contract or other agreement.

4.23.   At the beginning of class, staff must 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 UK GDPR 2018 and the Data Protection Act (DPA) 2018. Exceptions might include when the recording is an explicit requirement of a University award (for example a recording of assessed presentations for review and marking purposes).

4.24.   The University has the right to take down and delete any recordings that have taken place without appropriate consent.

5. Governance Requirements

5.1. **Implementation: Communication Plan**

5.1.1. This procedure has been in place since 2018 and was updated for 2020/21 – 2022/23 to take account of the Hybrid Education approach implemented in response to Covid-19. The updates in this version are in order to align with the Guidance on Learning and Teaching Provision from 2022/23 therefore the principle communication should be to re-iterate these which can be done via ADEs, DLTs to all academic staff and additionally via a Leaders' Alert.

5.2 Implementation: Training Plan

5.2.1 Because his procedure has been in place since 2018 the communications detailed above along with updating relevant guidance will be sufficient and no additional training directly about the procedure will be required.

5.3 Review In addition to ongoing evaluation and review, the procedure will be reviewed every two years. Minor changes such as changes of role titles, other titles or names which do not change the meaning of the policy, will be proposed to UEC before being implemented. Any changes that alter the meaning of the policy or significant re-writes will be considered by UEC and Senate.

5.4 **Legislative Context and Higher Education Sector Guidance or Requirements**

5.4.1 University of Surrey Strategy, Forward thinking and doing (2021 – 2024)
5.4.2 University of Surrey Intellectual Property Code (2020)
5.4.3 Equality Act (2010)
5.4.4 UK GDPR (General Data Protection Regulation) 2018 and Data Protection Act (DPA) 2018

5.5 **Sustainability**

5.5.1 Because this is an update to a procedure that has been in place since 2018 and because the updates in this version are in order to align with the Guidance on Learning and Teaching Provision from 2022/23 it will not in itself have any environmental impact.

6 **Stakeholder Engagement and Equality Impact Assessment**

6.2 An Equality Impact Assessment was completed on **13/06/2018** and is held by the Authorised Co-ordinator.

6.3 Stakeholder Consultation was completed, as follows:
- This policy was originally developed through University-wide consultation conducted from 7 March to 18 May 2018 during which time 30 individual and 11 departmental/team responses were submitted. DTEL also attended departmental meetings and held discussions and workshops with colleagues and students across the University. All responses were reviewed by DTEL and the Captured Content Steering Group which met on the 8 May and 24 May to consider proposed revisions based on the consultation responses.
- The following stakeholder departments/teams were consulted in developing and revising the initial policy: the Students' Union, Human Resources (HR), the Department of Higher Education (DHE), Library and Learning Support Services (LLSS), the Information Compliance Unit (ICU), IT Services (ITS), Learning Spaces Technology (LST), the Technology Transfer Office, The Office of Student Complaints Appeals and Regulation (OSCAR), Quality Enhancement and Standards (QES), Widening Participation and Outreach (WPO) and the University and College Union (UCU).