

Guidance for Obtaining Consent for Recording Student Participation in Teaching Activities

Background

Access to recordings of taught activities supports learning and provides a fallback for students unable to attend. However, there is a risk that knowing an activity is being recorded reduces the value of that activity by inhibiting discussion, especially where topics are sensitive. The University's [Policy on Recording Lectures and other Teaching and Learning Activities](#) "aims to strike a balance between the rights and responsibilities of all those involved, including students, staff and any other person who contributes to the content of a Recording, with particular regard to privacy, accessibility, dignity at work, inclusion and academic freedom. It also aims to support the professional judgement of teaching staff with regard to determining appropriate methods for achieving learning outcomes." [Para 1.6]

Broadly speaking the Policy divides teaching activities into two categories:

1. For activities where the emphasis is on the member of staff speaking (e.g. a lecture with some interactive elements), the default expectation is that these should be recorded. Students must be made aware that such activities are recorded by default at the start of year. Subsequently, the mechanism by which students consent to being recorded is the conscious decision to interact during the activities, hence it is important that their interaction is voluntary; students must not be required to speak or otherwise act in a way that results in their actions being recorded. [Para 2.2.1]
2. For activities where the emphasis is on student participation or interaction and where that interaction would be captured in the recording, these should generally not be recorded by default. Exceptions can be made with appropriate consent from those involved as outlined below. [Para 2.2.2]

Obtaining consent from students for recording of their participation

Recording video or audio of students' contributions requires their consent, which must be acquired by affirmative action (i.e. it cannot be assumed by inaction). The mechanism of consent varies depending on the nature of the teaching activity. Students may object or withdraw consent to being recorded at any point, including retrospectively; in these cases the student's contribution must be removed from the recording, or where this is not possible, the recording must be withdrawn and copies of it destroyed. It is crucial that students do not feel pressured into consenting: asking for consent verbally or 'in public' at the start of an activity is not sufficient; instead a secure online form, VLE 'quiz', email response or other mechanism that does not disclose identity to the cohort should be used both to provide privacy and a record of consent that lasts for the duration of the availability of the recording.

Two types of teaching activity are outlined here; a scheduled session may include more than one type of activity, in which case the relevant mechanism of consent applies to each activity.

- a) If the discussion is expected to cover topics of a personal nature or may reasonably result in the disclosure of sensitive personal data, consent to recording that individual activity must be obtained from all participants prior to any recording being made.

b) Where the topics being discussed are not likely to result in the disclosure of sensitive personal data and do not cover personal or controversial topics, consent of all participants is still required, however this may be obtained at the start of the course unit to cover all activities in this category.

Where practical, additional conditions may be offered to attempt to reach unanimous consent; for example students may be allowed to contribute anonymously, or given the guarantee that their contribution will not appear on the recording (e.g. by pausing the recording, editing them out or otherwise anonymising their contribution before release). These conditions, however, must not devalue the live teaching experience.

If unanimous consent can be reached, then the activity may be recorded, hosted and used in accordance with the [Policy on Recording of Lectures and other Teaching and Learning Activities](#). Otherwise, the activity must not be recorded (however, other adjustments may be required to support disabled students; please refer to [DASS](#) for advice).

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