



## Recording of lectures

The University of South Wales is keen to support disabled students, to remove barriers to learning, and enable all of our students to reach their full potential. The University recognises that being able to record lectures can be very valuable, if not essential, to some disabled students (particularly dyslexic students). Under the Equality Act 2012 universities cannot reasonably refuse to allow a student to record lectures if this has been identified by Student Services or an educational psychologist as a reasonable adjustment. The University's policy therefore is that all staff (and visiting lecturers) should allow disabled students to record lectures.

The University also recognises that staff have legitimate concerns about copyright and about abuse of recordings. Therefore Student Services includes a statement in a disabled student's ISP (Individual Support Plan – the “contract” between the student and Student Services) that states that the recordings are solely for the student's personal use; they must be destroyed when no longer needed, they must not be given to anyone else other than for transcription purposes, and that any misuse (putting material on YouTube etc) is a serious offence and could result in expulsion.

It is sufficient that disabled students sign the ISP in the presence of a disability advisor who will make sure that they understand the above statement. It could

be discriminatory to require disabled students to sign a separate form about not abusing lecture recordings when their non-disabled peers don't have to, considering that each student carries enough technology on their person in the form of mobile phones etc to record anything. All students are bound by comprehensive regulations covering misuse of lecture recordings in the computing regulations that the students click "OK" to every time they log on. Because a disabled student agrees that any lecture recordings are for their own use only and are not permitted to be given to anyone else except for transcription purposes, giving a recording to someone else for any reason (including to report bad teaching practice in the lecture theatre, for example), would be a breach of this agreement and could lead to disciplinary action against the student.

Some teaching staff have expressed concerns over whether recording lectures compromises the rights of the other students in the class under the Data Protection Act (for example if another student's name or voice ends up on the recording that the disabled student makes). However, since the disabled student making the recording has agreed that all recordings are for their own personal use and not to be given to anyone else, there is no violation of the other students' rights, and if the student does misuse the recording then any violation of the Data Protection Act is made by the disabled student, not the university (or the lecturer). But more importantly, one has to weigh up the very real disadvantage to a disabled student of not allowing recording against the hypothetical data protection disadvantage the other students may or may not suffer. This is the approach the courts have taken: the courts have tended to find against universities that refuse to allow disabled students to record lectures (whether the lecture is given by a university staff member or an external speaker or guest lecturer), so there is a clear legal precedent that not allowing disabled students to record lectures can end up being very costly for the University.

While all teaching staff and visiting lecturers are required to allow disabled students to record lectures where this has been identified as a reasonable adjustment under the Disability Discrimination Act 2005, they are not obliged to allow other students to record lectures. However, the University strongly encourages staff to not only allow the recording of lectures by any student, but to record their own lectures and make the recordings available in order to make their lectures more easily accessible to all their students. Making recordings of lectures available (particularly through a practical and accessible format such as podcasting) to all one's students is good practice. For example lecture recordings are extremely useful for students whose first language is not English, for students who have to miss lectures due to childcare or work commitments, for students who have undiagnosed dyslexia, and for any student who wants to go over a section of material they didn't understand first time round. This is also in keeping with the Equality's Code of Practice (Improving provision for disabled students) which states "responsible bodies should not wait until a disabled person applies to do a course or tries to use a Service before thinking about what reasonable adjustments they could make. Instead they should continually be anticipating the requirements of disabled people or students and the adjustments they could be making."

There are sometimes concerns expressed by teaching staff that widespread use of podcasting or otherwise making recordings of lectures available will reduce attendance at lectures; however research indicates that this is not the case (please contact CELT for references to the most up-to-date research in this area, and for practical help in recording lectures or making podcasts, which is extremely simple to do and does not require any special technological know-how). There are also sometimes concerns expressed that podcasting (and blended learning in general, like making material available on Blackboard/Moodle) is "spoon-feeding" students and leads to dumbing-down. However, removing barriers to learning is not the same as making the material or course content easier, and making higher education more accessible to those who would otherwise not be able to participate fully (whether because of

disability, child-care commitments or work) is not the same as “dumbing-down”. Also, the universities which are leading the podcasting of lectures revolution are the world’s top universities, notably the Ivy League and Oxford University, which can hardly be accused of “spoon-feeding” (in fact, not only are these institutions providing podcasts of lectures to their own students, they are providing them for free to the whole world: just go to iTunes podcast site and do a search on “lectures” to get a flavour of what’s available).

Please contact CELT if you would like to discuss the implementation of these guidelines in more detail for your specific course, and also if you have any other questions regarding how best to support disabled or widening participation students, or the more general adoption of inclusive practice in learning and teaching.

Lyndsey Muir  
Centre for Excellence in Learning and Teaching  
University of South Wales  
[lyndsey.muir@southwales.ac.uk](mailto:lyndsey.muir@southwales.ac.uk)

Approved by LTEC – 13<sup>th</sup> February 2015