

Privacy Notice – Recording of Teaching and Learning Content

About us

This Privacy Notice explains the nature of the personal information that the University and the Henley Business School processes for the purposes of delivering teaching and learning activities that involve the recording of content that captures participant personal data.

The University and the Henley Business School (**We** or **Us**) are data controller in respect of the information that We process about you. Our contact details are The University of Reading, Whiteknights House, Shinfield Road, Whiteknights, Reading, RG6 6U, United Kingdom. Tel: +44 (0) 118 987 5123.

This notice explains what personal information We collect, hold, and share in support of these purposes and your rights in respect of the data We hold about you.

Your privacy is important to Us, so if there is anything in this privacy notice that is unclear or you do not understand, please contact Our Data Protection Officer at: imps@reading.ac.uk

Data We collect about you

To ensure We can effectively deliver teaching and learning and ensure accessibility for all, it will be necessary for Us to record some teaching and learning sessions, such as seminars and interactive sessions.

Your Personal Data

We recognise that this will involve the recoding of content that may feature personal data within:

- Video of individuals
- Images of individuals
- Audio, which may be attributed to individuals
- Identifiers, such as names
- Personal data contained within contributions of individuals.

Special Category (sensitive) Data

Data protection laws categorise some personal data as special category (or sensitive) data, being racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

It is not the intention to collect special category data within recorded teaching and learning content. However, it is recognised that contributions to content may include special category data.

Where possible, We will limit recording of content that has been identified as more likely to illicit discussions or contributions of a more sensitive nature.

Recordings may also be paused or edited prior to being made available on virtual learning environments.

Staff and students will always be made aware/notified when recording is taking place and should be mindful that contributions will be recorded when opting to include special category data.

The purposes We collect this data for

Recording will only be undertaken in the following limited circumstances, where deemed necessary for any of the following purposes:

- Ensuring that all students can access teaching and learning content made available for study and revision. Learning Capture is not intended as a replacement for attendance at teaching sessions.
- Ensuring access to teaching and learning content when a student is unable to attend on campus sessions because of Covid-19 travel or quarantine restrictions, and it is not reasonable to expect them to attend an online session because it is scheduled at a time that is outside of usual teaching hours (9-6) in the country or region in which they are based.
- Assessment, such as recording of clinical practice for summative assessment; recording a coaching session for formative feedback; or recording a presentation when an assessor is unable to attend.
- Making a reasonable adjustment under the Equality Act 2010. Should a student require a recorded session as a reasonable adjustment, a recording may be made for these purposes
- When a student's employer has sponsored them to attend a University programme on a part-time/flexible basis, and the University has agreed to make all sessions available to all students on that programme even where a student's work commitments mean they cannot attend some of the sessions at the scheduled 'live' time. An example of where this will apply is in the context of some of Henley Business School's Apprenticeship programmes.
- When a specific exceptional case has been approved by a Teaching & Learning Dean (in liaison with Legal Services/IMPS).

Our lawful basis for uses of your data

Under data protection laws We must have a legitimate and lawful basis for processing your personal data. There are several lawful grounds within data protection law that apply to the different data that We are processing, and these are explained below:

For the performance of a contract (or negotiations entering into a contract)

In instances where the recording of a teaching and learning activity is a requirement for delivery of a course, for example, where this activity forms part of formal assessment We may do this to meet our obligations under contract.

For the performance of our public tasks

The University is a public authority with the task of making arrangements for the provision of teaching and instruction, as detailed in the University Royal Charter (University powers 1.4 Royal Charter). Where recording of teaching and learning activities are necessary for the provision of teaching and instruction, this basis will apply (GDPR Art 6 (1) (e) - processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller).

Legal /statutory obligations

In some instances, recordings may be made for the purposes of facilitating a reasonable adjustment, as required under the Equality Act 2010.

For the performance of a task in the public interest

The University have public tasks of the provision of teaching and learning (University powers 1.4 Royal Charter). In limited circumstances, where the University are processing special category Data (and only where this is deemed strictly necessary for those purposes) processing is necessary for reasons of substantial public interest and statutory purposes. If staff feel that discussing their special category data is *essential* for pedagogic reasons (*non-optional*) this legal basis will apply.

Who We share your data with

Unless stated otherwise, recordings will be made available to those that have attended the session, for periods as defined in our retention schedule for recorded teaching content.

Where content is recorded for the purposes of formal assessment, this may also be shared with those involved in the assessment of that content.

In all cases recorded content will be made available to others on a strictly 'need to know' basis.

Should there be a legitimate need for recorded content to be shared more widely, this will only be done where this need has been explained to you and where this is in compliance with data protection laws.

If you have any concerns regarding the audience of recorded content that features you, please contact our Data Protection Officer at imps@reading.ac.uk.

Retention of your data

Retention of your personal data, within content recorded for teaching and learning activities, is subject to retention schedule.

Content will be retained for defined periods for the purposes of course content administration, audit, defence of legal claims, and to meet regulatory requirements.

Content will be archived, and access controlled when wider circulation is no longer required.

Retention periods are subject to review and, in some circumstances, requirements relating to some courses involving specific retention needs or restrictions will be accommodated.

The retention schedule can be found at <https://www.reading.ac.uk/imps/records-management/record-retention-and-disposal-schedules>

How We protect your data

Your personal information is stored securely by the University. Our staff are trained in the secure handling of personal information, including the managing of access permissions within the platform (s) used to host recorded content. We use third party providers to deliver our services, including externally hosted software or cloud providers (such as Blackboard VLE, Yuja and Microsoft). Where we do this we have measures and terms in place with those providers to ensure that they also protect your data.

Your rights

Under data protection law, you have the right to:

- Withdraw your consent where that is the legal basis of our processing
- Access your personal data that we process
- Rectify inaccuracies in personal data that we hold about you
- Be erased, that is your details to be removed from systems that we use to process your personal data

- Restrict the processing in certain ways
- Obtain a copy of your data in a commonly used electronic form; and
- Object to certain processing of your personal data by Us

Please see the ICO website for further information on the above rights:

<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>

If you would like to exercise your rights, or have any concerns regarding how We have handled your personal information please contact our Data Protection Office at imps@reading.ac.uk

Some rights are dependent on the lawful basis for processing your information. If We have legitimate grounds to not carry out your wishes, these will be explained to you in response to your request.

You also have the right to complain to the Information Commissioner's Office.

Question about this notice

If there is anything in this notice that you are unclear about, please contact our Data Protection Officer in the first instance, on the contact details below, who shall be happy to answer any queries you may have concerning this privacy notice or the way in which We process your personal data.

By mail: Information Management and Policy Services, The University of Reading, Whiteknights House, Shinfield Road, Whiteknights, Reading, RG6 6UR

By email: imps@reading.ac.uk

By phone: 0118 378 8981

Complaints can be referred to the Information Commissioners Office, the independent body who oversee Data Protection compliance in the UK.

<https://ico.org.uk/make-a-complaint/>

Please be advised that the ICO may request that you raise any issue with Us first before they will consider your concern,

Changes to this notice

We keep our privacy notices under regular review to ensure best practice and compliance with the law. This privacy notice was last updated on 20/07/2022.

We may change this privacy notice from time to time. If We make significant changes in the way We treat your personal information We will make this clear on our website and may seek to notify you directly.

How to contact Us

If you have any questions about this notice, our University Data Protection Officer can be contacted at: IMPS, The University of Reading, Whiteknights House, Shinfield Road, Whiteknights, Reading, RG6 6UR UK.

Telephone: 0118 378 8981. Email: imps@reading.ac.uk