



RECORDING OF TEACHING, LEARNING, AND ASSESSMENT ACTIVITIES POLICY

1. Overview and Purpose

- 1.1 The University has two main approaches to learning: in-person and online delivery. However, the in-person offer is also [blended](#), meaning the overall teaching and learning experience combines both in-person and online elements, and our teaching, learning and assessment activities are often recorded.
- 1.2 Recording content can positively enhance the experience for students and staff, be a valuable part of teaching and learning, and enable a more inclusive learning environment. It is important, though, that the University fulfils its related legal and regulatory obligations and that individuals recording content and engaging with recorded content understand what is considered appropriate and responsible use.
- 1.3 As a higher education provider, we have a legal obligation to make reasonable adjustments for individuals with a disability so that they are not at a substantial disadvantage. Making recordings of relevant activities available to students is an important anticipatory adjustment. This is detailed in 4.3.1 and further information is available in our Sussex [Accessible and Inclusive Education Code of Practice](#). As part of the [Sussex Academic Framework](#), making recorded content available for all students is part of inclusive pedagogical design.
- 1.4 The aims of this policy are to:
 - Define key terms and provide clarity as to when recordings can and cannot be made, and how such recordings can be made and used;
 - Outline the benefits of using recorded material in the teaching and learning environment; and
 - Lay out key considerations related to recording teaching, learning, and assessment activities, and actions that must be taken to ensure that recording activity is lawful and compliant.
- 1.5 This policy should be considered alongside relevant legislation, regulatory requirements, and internal procedures, processes and guidance, as detailed in the policy.

2. Scope

- 2.1 For the purposes of this policy, **'recording'** refers to the electronic capture with transcription of teaching, learning or assessment activities by any means, regardless of the platform, software, or device used.
- 2.2 **'Teaching, learning or assessment activities'** (which are referred to as **'relevant activities'** or **'relevant activity'** throughout the rest of this policy) relate to structured, directed activities through which students are engaged in teaching, learning or assessment. They include, but are not limited to, lectures, seminars, workshops, laboratory sessions, project supervision and academic advisory meetings.
- 2.3 The policy does not apply to recordings created for commercial purposes or for release to the public.
- 2.4 This policy applies to all staff and all students registered with the University regardless of level, type or mode of study.

3. Responsibilities

3.1 Staff

- 3.1.1 Staff must consider whether or not a relevant activity should be recorded so that suitable content is available. There is an expectation that teaching should be recorded, with the exceptions to this laid out in 4.3.5. Staff engaged in recording any of the relevant activities must do so in accordance with the terms of this policy, and in line with any related processes and procedures.

3.2 Students

- 3.2.1 Students engaged in viewing/ listening to any recordings and/or making any recordings of relevant activities must do so in accordance with this policy and any related processes and procedures.
- 3.2.2 Students may only use recordings for the purpose of their own personal study and should delete any recordings thereafter.

4. Policy

4.1 Benefits of Recording

- 4.1.1 It is recognised that the use of recorded content in the teaching and learning space is valuable and can enhance student experience in many ways. For example:
- It can support learning by allowing students to revisit content and adapt learning to their own pace;

- It can enable further study at a time and place beyond the traditional physical teaching spaces;
- It can enable assistive technology to be used to support learning where required;
- It provides inclusive learning and support for students with disabilities, neurodivergent learners, and for whom English is not a first language.

4.2 Accessibility and Reasonable Adjustments

- 4.2.1 As well as having an obligation not to indirectly discriminate against disabled students, education providers have an anticipatory duty to make reasonable adjustments for disabled students ([EHRC Technical Guidance on FE and HE](#)). This means we need to identify barriers that disabled students may face and plan reasonable adjustments in advance to remove any disability-related disadvantage. Making recordings of relevant activities available to students is an important anticipatory adjustment.
- 4.2.2 Where a staff-instigated recording is not possible, for example, the relevant activity is happening in a room where recording technology is not in place, the student should be able to make their own recording. In very limited circumstances where a recording cannot be permitted – see below – other reasonable adjustments must be implemented to ensure equal access to information covered in teaching, learning, and assessment activities.
- 4.2.3 Staff can consult with the University’s Disability Advisers for advice on the recording of teaching, learning, and assessment related activities and reasonable adjustments.
- 4.2.4 Recordings need to be accessible and meet accessibility requirements for public bodies. This includes, but is not limited to, the provision of captions, transcripts, adjustable speed or alternate media where applicable.

4.3 Recording of relevant activities

- 4.3.1 The recording of relevant activities should only be undertaken by the following individuals:
- The academic or staff member leading the activity in question (e.g. lecture capture, recorded course delivery); or
 - A student with a disability who requires the support of recordings as a reasonable adjustment.
- 4.3.2 In order to comply with our anticipatory duty under the Equality Act 2010, it is expected that formal teaching activities such as lectures will be recorded and made available to students, unless there is good reason not to do so (see 4.3.5). Staff are also encouraged to record other teaching, learning or assessment activities where it is appropriate to do so.

- 4.3.3 Staff should use IT Services approved and supported tools or software when recording relevant activities. Where a recording is made by a student, they should use a device that complies with the University's information security requirements. Only IT Services provided and supported solutions should be used for the sharing and storage of recordings made in accordance with this policy, to ensure that appropriate security requirements are met.¹
- 4.3.4 Where appropriate, individuals must be made aware that the relevant activity is being recorded. For instance, where students would be captured in a video recording (e.g. of a seminar), they should be notified of the recording so they have the opportunity to sit in an area where they would not be visible on the recording.
- 4.3.5 There are circumstances where it unlikely to be appropriate to record all or part of relevant activities or where the recording could be temporarily paused. For instance:
- When the predominant mode of the session is interactive (e.g. a seminar) and the level of discussion in the room would render the recording ineffective;
 - If there are significant or exceptional legal, ethical, or privacy concerns, or issues of commercial sensitivity; or
 - When a student or staff member cites exceptional personal reasons that make it inappropriate for the activity to be recorded.
 - This should not include core information related to assessment.
- 4.3.6 As outlined above, where it is not appropriate for a recording to be made, alternative provision for those with accessibility needs must be considered, such as screen capture only. The University's Disability Advisors can support with identifying appropriate alternative adjustments.
- 4.3.7 Recordings of relevant activities must not be shared externally or published, and any recordings made or accessed by students should only be used for personal study purposes.
- 4.3.8 Recordings made available to students for teaching and learning purposes must be current, up to date and contain correct information, and must be of a high quality and accessible to all students.
- 4.3.9 Decisions about the delivery method of course content must be pedagogically driven, and recordings provided to students must not be used as replacement for crucial aspects of teaching and learning (e.g. collaborative learning, dialogue, development of relevant practical skills) or be used in such a way that they impact negatively on attendance and engagement.
- 4.3.10 Recordings of teaching activities will not be used to cover University staff exercising their legal right to take industrial action, without the staff member's consent.

¹ [Information Security Policy](#)

- 4.3.11 Recordings will not be used for evaluating teaching performance or performance management purposes. Recordings can be used, though, as evidence within an investigation, for example, in the context of a staff or student disciplinary investigation.
- 4.3.12 Where a relevant activity involves an external contributor such as a guest speaker, their prior consent should be obtained before the recording is made.
- 4.4 Legal and regulatory matters
 - 4.4.1 When making and using recordings of relevant activities, consideration must be given to relevant regulatory requirements such as the Office for Students' Conditions of Registration (especially B1 and B2).
 - 4.4.2 In addition, recording of relevant activities should comply with applicable legal requirements such as data protection, intellectual property, equality and accessibility obligations.
 - 4.4.3 Recordings should be retained and deleted in line with the University's Records Management Policy and associated procedures and guidance.

4.5 Breach of this policy

- 4.5.1 Where there is a deliberate breach of this policy, or gross negligence causing a breach of the policy, the matter may be considered under the University's disciplinary procedure under Regulation 2 (students) or Regulation 31 (staff). In particular, the modification, publication or distribution of recordings without appropriate permission may be investigated under such procedures.

5. **Legislation and Good Practice**

- 5.1 Office for Students – [Online and Blended Learning](#): details of expectations around blended learning and potential compliance concerns with regard to the relevant Conditions of Registration.
- 5.2 Jisc – [Legal Considerations for recording lectures](#): information on the legal considerations relating to recorded material.
- 5.3 [Data Protection Act 2018](#), [UK General Data Protection Regulation](#), and [Data \(Use and Access\) Act 2025](#): legislation relating to the processing of personal data.
- 5.4 [Equality Act 2010](#) & [Public Sector Bodies Accessibility Regulations 2018](#): Legislation which outlines the University's duties with regard to reasonable adjustments and accessibility.
- 5.5 [Panopto Guidance](#)

5.6 [Inclusion, accessibility and Universal Design for Learning](#)

Review / Contacts / References

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Related internal policies, procedures, guidance:	Data Protection Policy Records Management Policy Information Security Policy Academic Standards Disability Support / Reasonable Adjustments Our Principles for AI in Education Third Party Copyright Policy Publications and Copyright Policy Intellectual Property Accessible and Inclusive Education Code of Practice
Division:	Division of the Student Experience
Policy Owner:	Pro-Vice-Chancellor for Education and Students
Point of Contact:	Director for the Student Experience