

## Teagasc Recording of Learning Activities Policy

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### Background

This document outlines the Teagasc policy on recording classes/practical sessions and making those recordings available for learners. The overarching aim of the policy is to complement traditional and/or synchronous classes by providing learners with further opportunities to engage with the class material. It also outlines staff and learner responsibilities in meeting obligations under equality, copyright, and data protection legislation. Recordings will only be made available by Teagasc on a secure learning platform such as Moodle, the system used for internal communications in Education in Teagasc.

Teagasc may make operational decisions in relation to the mode of delivery of our Education courses which may include the recording of learning activities.

This policy upholds the core principles of the [Teagasc Personal Data Retention Policy](#) and the [Teagasc Data Protection Policy](#) which are available on the Teagasc website.

### Purpose of the Policy

The purpose of this policy is to define Teagasc's approach to the recording of classes (online/face-to-face) or other teaching activities by staff and learners.

### Applicability

The policy applies to all Teagasc education and training programmes. As such it applies to:

- All programmes leading to a QQI award
- All short duration courses leading to a QQI award
- All Teagasc linked higher education programmes
- Teagasc programmes/course leading to awards from awarding bodies other than QQI
- Any other Teagasc education and training activity whether accredited or non-accredited.

The policy applies to management, staff, education contractors and learners. This policy applies to all teaching and learning modes including full-time, part-time and remote learning.

The policy applies to both synchronous and asynchronous teaching:

- Synchronous delivery - classes/learning sessions delivered live where there are learners present in a classroom or online or combination of both.
- Asynchronous delivery - classes /learning sessions pre-recorded by the tutor without learners being present.

Recordings may consist of audio and images used to capture classroom, practical sessions, laboratory or workshop activities. This Policy will be:

- Published on the Teagasc intranet and public website
- Linked to the learner application process
- Linked to the Learner/Apprentice Handbook
- Advised to learners at course induction events

## Policy Statement

It is necessary for Teagasc to handle personal data in the course of delivering educational services. Teagasc will only handle such personal data to the extent necessary to fulfil this purpose, in accordance with its obligations under data protection law.

Having regard to Teagasc's mandate under the **Agriculture (Research, Training and Advice) Act 1988**, to provide, or procure the provision of educational training and advisory services in agriculture, the primary lawful basis under data protection law on which Teagasc relies for the processing of personal data under this policy is that it is necessary to comply with its legal obligation to deliver such training and services.<sup>1</sup> Teagasc may also rely on other lawful bases under data protection law to process personal data where appropriate, for example where such processing is necessary in order to deliver educational services that learners have requested.<sup>2</sup>

Further details about how Teagasc manage and protect personal data are available in the [Teagasc Data Protection Policy](#).

## Guiding principles

1. Recording of teaching activities is intended to supplement, rather than replace, learner attendance at classes, practical sessions, tutorials or other teaching activities.
2. The decision to record a class or other teaching activity is at the discretion of Teagasc.
3. A tutor will inform learners at the start of a class/practical session if the session is being recorded. The tutor will let learners know that they may switch off their camera if they wish, before recording begins.
4. To facilitate learning, recordings will be retained for a period of time, generally until a programme has been externally verified and the period for learner appeals has expired up to a maximum period of three years.
5. The copyright and intellectual property rights in teaching materials is not altered by the recording of classes and teaching activities.

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<sup>1</sup> Pursuant to Article 6(1)(c) of the General Data Protection Regulation (EU) 2016/679 ("GDPR").

<sup>2</sup> Pursuant to Article 6(1)(b) of the GDPR.

6. Recordings shall not be used for staff performance management purposes.
7. Recording shall be compliant with the General Data Protection Regulation (EU) 2016/679.
8. All recordings will be deleted as per the Teagasc Personal Data Retention Policy.

### **Tutor Recording of Teaching Activities**

1. As part of course induction the course coordinator will inform learners that classes and other teaching activities may be recorded by tutors, and outline what this entails. Information on the recording of teaching activities will be included in the learner handbook.
2. Recordings of teaching activities should only be made available to learners enrolled on Teagasc courses.
3. Tutors will inform learners if activities are to be recorded and will state when recordings start and finish.
4. Learners who do not wish to be part of online recording should inform the tutor, turn off the camera and audio functions on their device. Even if the camera is turned off, the name of the learner appear on screen.
5. Tutors may retain learner presentations for the purposes of assessment and external verification by an external examiner. Recordings of learner presentations will not be shared other than in association with assessment, grading and external verification.

### **Learner Recording of Teaching Activities**

1. Learners may not record any class or other teaching activity. Covert audio and/or visual recording of teaching activities is strictly prohibited.
2. Unauthorised recordings may constitute a breach by the learner of privacy and data protection law and will be treated as a breach of the Code of Conduct by the learner.

### **Learner Support**

1. Legislation has been enacted in Ireland to ensure that people with disabilities have a statutory right of equal access to the same services, buildings and information as other citizens. As service providers, Teagasc has a legal responsibility to support learners with disabilities by ensuring that all aspects of the campus and curriculum are accessible.
2. Teagasc is committed to ensuring learners with disabilities and specific learning difficulties are provided with reasonable accommodations to support their learning. Teagasc recognises that learners with specific learning difficulties and disabilities may at times need to record classes or other teaching activities.
3. Approval for this accommodation will be made as part of a needs assessment with an Access Officer. Where this accommodation is granted, staff will be informed and arrangements will be documented in the Learner's Learning Support Plan.

## Use of recordings by learners

1. Recordings of teaching activities may only be used for the personal and private use of the learners registered on a Teagasc course.

Learners may not:

- i. Copy recorded lectures/classes without written permission
- ii. Distribute/forward the recorded teaching activities to any third party
- iii. Post/display the recordings of teaching activities on any public forum including the internet or social media fora.

## Enforcement

This policy is enforced at an overarching level by Teagasc senior management, the Head of Education and the Head of Curriculum Development and Standards.

Managers of colleges, regional education centres and other locations have responsibility for enforcing this policy and for implementing best practice procedures and protocols within their remit.

It is the responsibility of staff and learners to comply with this policy:

- Staff that breach/transgress this policy are subject to the processes of Teagasc staff disciplinary code.
- Contractors who breach this policy are liable to have contracts terminated.
- Where a learner breaches this policy, Teagasc will regard this as a disciplinary offence. All such breaches will be dealt with in accordance with the Teagasc learner Code of Conduct procedures.

## Definitions and Terms

Personal Data	means any information relating to an identified or identifiable natural person ("data subject"); an identifiable person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that person <sup>3</sup>
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The Teagasc Data Protection Officer may be contacted at any stage at [DPO@teagasc.ie](mailto:DPO@teagasc.ie).

## Related Documents

- Teagasc Data Protection Policy
- Teagasc Personal Data Retention Policy
- Teagasc Learner Handbook
- Teagasc Apprentice Handbook
- Teagasc Appeals Policy
- Equal Status Acts 2000 - 2018
- Disability Act 2005
- Employment Equality Acts

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<sup>3</sup> Regulation (Eu) 2016/679 Of The European Parliament And Of The Council, Article 4(1)

- The Education for Persons with Special Needs Act 2004

### Revision History

Revision date	Version	Summary of Changes
16/03/2021	0.4	Revision of existing policy
14/04/2021	0.6	Revision of existing policy by Data Protection Officer