



# Dublin City University Data Protection Privacy Notice for the Recording of Learning Activities

## Introduction

Due to the extraordinary circumstances of the ongoing Covid-19 public health emergency Dublin City University (DCU), as with all higher level educational institutions and our wider society, had to rapidly adapt operations to ensure safety for students and staff.

As part of its response the University moved to delivering all or part of learning activities online via live sessions, recorded video and other learning activities. This 'Hybrid Model' includes recording of some live learning activities.

**Who** DCU is the 'Data Controller' (as defined by the General Data Protection Regulation 2016) for these recordings.

**Why** To facilitate students during the Hybrid Model delivery of classes while Covid-19 restrictions on attending campus remain in place. The recordings will also assist students experiencing difficulty with broadband connections and those who have certain disabilities or who cannot attend campus for whatever reason.

**Where** Recordings will be stored securely on the University's network, and will be shared via [Loop](#).

**With whom** Recordings will be shared with the students in the same module. The students must not re-share the recordings.

**How long** Recordings may be retained up to one year, after which they will be permanently deleted by DCU. Where recordings do not include any student personal data, staff can choose to retain recordings for future use.

## Learning Activities

DCU has moved to delivering all or part of learning activities online, via live and recorded video. This Hybrid Model includes recording of live online learning activities.

The academic staff member should advise those in the room that a recording is taking place. If all learning activities in a module are recorded, this must be stated prominently in the module outline and in any course handbook, with students reminded of this regularly.

Where the recording of a learning activity is taking place on Zoom, a red circle or icon will appear on screen, together with the word 'Recording', to notify participants that the session is being recorded.

**Students must not make their own recordings of the session.** To do so may result in an unlawful infringement of the data protection rights of other students and staff.



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## Recording personal data

The parts of the recording that qualify as personal data are protected under data protection laws.

**Personal data** is defined as 'any information relating to an identified or identifiable natural person'. In the context of a recording of a learning activity, this may include your name, images of you, anything you say or disclose about yourself, or the audio of your voice.

**Special categories of personal data** are types of personal data which reveal racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data and biometric data processed for the purpose of uniquely identifying a natural person.

Staff of the University will take extra measures to ensure the security of a learning activity if expressions of opinions containing special categories of personal data are likely to be recorded.

The measures required will be assessed on a case-by-case basis and may include:

- an explicit agreement that students will not attempt to copy or download the recording, share it or edit it in any way;
- a spoken reminder of students' privacy rights prior to a discussion in which special category data is likely to be discussed;
- the academic staff member may decide to stop the recording for the duration of a discussion involving special category data; or
- the academic staff member may decide not to upload the recording, or portion of the recording, in which special category data is discussed.

## Lawfulness of processing

The three legal bases being invoked by the University for the processing of personal data in recordings are described below.

1. The processing is necessary for the performance of a task carried out in the public interest and to comply with legal obligations imposed on the University by Health & Safety legislation, the Emergency Covid-19 legislation and the Universities Act 1997 - [GDPR Article 6\(1\)\(e\)](#).
2. The processing is necessary for the performance of a contract to which the Data Subject is a party, i.e. as a student who is registered with Dublin City University - [GDPR Article 6\(1\)\(b\)](#).
3. In the case of special categories of personal data this will be processed on the two bases above in addition to the basis set out in [GDPR Article 9\(2\)\(j\)](#).

DCU staff do not need to ask permission to record the lecture/tutorial/workshop/laboratory practical session or other learning activity as set out above, but they will inform students in advance of any recording taking place.

Recordings may not subsequently be used for any purposes that are incompatible with those for which they were originally made.



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### How are the recordings stored and shared?

Where possible University staff will use devices issued and encrypted by [ISS](#). Recordings will be uploaded to Loop to the specific module page for that learning activity.

The recordings will remain on that Loop page for the rest of the academic year, after which the recording will be permanently deleted by the University. The recordings will be accessible to relevant staff and students only and they should not be downloaded, copied, edited, shared, circulated further outside of Loop, or used for any other purpose than the relevant course of study

In accordance with the Data Protection Act 2018, where the University receives a lawful request relating to a specific investigation the University may share the recordings with An Garda Síochána and/or other law enforcement agencies for the prevention or detection of crime.

### Your rights

Data protection law (GDPR 2016 and the Data Protection Act 2018), you have certain [rights as a 'Data subject'](#), subject to certain limitations. These rights include:

- The right to have any errors relating to your personal data corrected (“right to rectification”)
- The right, in certain circumstances, to have your personal data erased (“right to be forgotten”)
- The right to access and obtain a copy of your personal data (“right of access”)
- The right, in certain circumstances, to object to the continued processing of your personal data (“the right to object”)

Should you have any specific queries in relation to these data privacy rights or any other data protection matter, please contact the DCU Data Protection Unit: [data.protection@dcu.ie](mailto:data.protection@dcu.ie)

If you are not satisfied with how DCU has handled your personal data, or wish to complain, you may wish to contact the Data Protection Commission: <https://www.dataprotection.ie/>

### More information

DCU Privacy Policy: [https://www.dcu.ie/sites/default/files/policy/25\\_-\\_data\\_privacy\\_policy\\_v3.3.pdf](https://www.dcu.ie/sites/default/files/policy/25_-_data_privacy_policy_v3.3.pdf)

DCU Data Protection Unit: <https://www.dcu.ie/ocoo/data-protection>

Attending DCU – Student Information: <https://www.dcu.ie/attendingdcu-students>



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