



Dublin City University

Data Protection Privacy Notice for the Recording of Learning Activities

Overview

In addressing student's learning needs (including students studying remotely and online) the University delivers part of its learning activities online via live sessions and recorded video along with other types of learning activities. This model of delivery necessitates the recording of some live learning activities.

The University utilises a range of digital tools and e-learning platforms to deliver learning activities (e.g. Loop with Moodle Virtual Learning Environment (VLE) at its core, Zoom for the live streaming and recording of lectures, Mahara (the open-source platform) for e-portfolios and Unicam to support video and rich media learning). Digital technologies such as these help students to participate more flexibly and to widen participation generally.

This range of learning activities delivers student-centric multi-modal learning experiences and provides students with a choice to attend either a traditional classroom environment or to participate online, via the VLE, according to their needs or preferences.

Purpose

The purpose of this notice is to provide guidance to staff and students on data protection matters to consider where the recording of learning activities is being used.

Procedure

From an operational perspective academic staff should advise students that the recording of a learning activity is about to take place at the outset of the recording. If any or all learning activities in a module are to be recorded then this should also be stated prominently in the Module Outline and in any related course materials or handbook. Ideally students should also be reminded regularly throughout the delivery of the module.

When 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 students that the learning activity is being recorded.

Students should not make their own recordings of the learning activity as to do so may result in an infringement of the data protection rights of other students or staff. Staff should advise students of their responsibilities in this regard.

This Data Protection Privacy Notice should also be read in conjunction with the University's [Data Privacy Policy](#).

Data Protection Requirements - What you need to know

Who In respect of the recordings made DCU is the 'Data Controller' (as defined by the General Data Protection Regulation 2016).

Why To facilitate students learning via live sessions, recorded video and other learning activities. The use of recordings will also assist students experiencing difficulty with



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broadband connections at the initial time of delivery and also those who may 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 on the same module. Students must not re-share the recordings with anyone else.
- How long** Recordings may be retained for up to five years, after which they will be permanently deleted by DCU. Where recordings do not include any student personal data then staff may choose to retain such recordings for future academic use.

Recording personal data

The elements of the recordings that may qualify as 'Personal Data' are protected under data protection laws (e.g. GDPR 2016 and the Data Protection Act 2018).

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

Special categories of personal data are types of personal data which reveal a person's racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data or their biometric data.

Staff of the University should take additional measures to ensure the security of a learning activity if special categories of personal data are likely to be recorded.

The measures required will be assessed on a case-by-case basis and they 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 to the VLE the recording, or portion of the recording, in which special category data is discussed.



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Lawfulness of Processing

The legal basis invoked by the University for the processing of personal data is set out in this section of the Notice.

The continuation of the recording of some live learning activities and the processing of personal data associated with such live learning activities, in both the traditional learning environment and the virtual learning environment, is necessary for the compliance by DCU with the legal obligations to which it is subject under the Universities Act 1997, specifically:

- Section 12 (a to k) of the Universities Act, 1997 (to advance knowledge through teaching, scholarly research and scientific investigation: to promote learning in its student body and in society generally)
- Section 13 (a to h) of the Universities Act, 1997 (shall provide courses of study, conduct examinations and award degrees and other qualifications: shall promote and facilitate research).

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

In addition, recordings may not subsequently be used for any purposes that are incompatible with those purposes for which they were originally made.

How are the recordings stored and shared?

Where possible University staff will use devices issued, and where appropriate encrypted, by [ISS](#) when conducting recordings.

Recordings will be uploaded to Loop to the specific module page for the relevant learning activity.

The recordings will be accessible to relevant staff and students only and they are not to be downloaded, copied, edited, shared, circulated further outside of Loop, or used for any other purpose other than the relevant course of study

Recordings may be retained for up to five years, after which the recording will be permanently deleted by the University.

It should be noted however that, 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 and or detection of crime.



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Your Rights

Under 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

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](#).

More information

[DCU Data Privacy Policy](#)

[DCU Data Protection Unit](#)

[Attending DCU - Student Guidance](#)

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