

Staff Use of Recording Devices at Meetings Policy

1. Introduction

This policy sets out the circumstances where staff at the Open University can or cannot record meetings and the steps that are required to ensure that any recording conforms to information legislation.

2. Policy statement

The term “recording” covers any type of audio and video recording device, including personally owned equipment.

The Pandemic has meant that more people are working remotely, meetings are held via electronic media such as: Skype, MS Teams and Adobe Connect. To assist notetakers with minuting more complex meetings involving multiple participants, electronic recording will be temporarily permitted in committee or ordinary business meetings.

If there is a requirement for minutes or notes, these should be taken during the meeting by a suitably skilled appointed secretary or note-taker. The Chair or the person leading the meeting must advise all persons present that “the meeting will be recorded for the purpose of note-taking and that once the notes have been written up, the recording will be deleted”. The written notes must also contain the statement that “the recording has been deleted”.

Staff recording is not permitted for any People Services and line management meetings, such as grievance, disciplinary, capability, performance, sickness absence or any other formal employee meetings, investigations or hearings. Covert recording of meetings (i.e. without the express agreement from all participants at the meeting) may result in the member of staff conducting the covert recording being subject to disciplinary action.

Where University initiated events are held, for example for the purposes of a recognition giving event or a presentation or training event, and part or all of the event is recorded for promotional, communication or training purposes, then recording is acceptable, provided prior notification is given to participants.

3. Reasonable adjustments

Where a secretary or note-taker with a relevant disability needs to make an audio recording, as a reasonable adjustment, they would advise the Chair or the person leading the meeting of the need to do so prior to the meeting. In such circumstances, the Chair or person leading the meeting will be responsible for advising those present that a recording will be made to accommodate the needs of one or more participants.

As a reasonable adjustment, staff with a relevant disability can request for the minutes or notes of a meeting to be read out and recorded after the meeting.

4. Compliance

The University complies with the EU General Data Protection Regulation (GDPR) and the UK Data Protection Act (2018), the Freedom of Information Act and associated legislation. Recordings of voice or image are classed as personal data and subject to the provisions of the EU General Data Protection Regulation (GDPR) and the UK Data Protection Act (2018). The Act requires that all data is processed in line with Data Protection Principles and requires that certain conditions are satisfied in order for personal data to be collected. These conditions are based on the premise that the data use, which in this case is the recording, is necessary for the required purpose.

Recordings of meetings are subject to the access provisions of the General Data Protection Regulation, the Data Protection Act, the Freedom of Information Act and associated legislation. They would have to be reviewed in the event of any such requests and may have to be supplied in whole, or in part as a recording or as a transcribed version.

5. Security and retention

Where recordings are taken, the means of both recording and storage must comply with the University's Information Security policies, especially if the recording is on a mobile device as this would require data encryption.

Retention periods should be assigned to the recording in line with the University's Record Retention Schedule and deleted by an adequately secure method at the appropriate time.

Handwritten or electronic notes taken by the appointed secretary or note-taker should be retained in accordance with the University's Retention Schedule. Please note that for the temporary recordings permitted during the Pandemic period, these should be deleted immediately after the notes have been written up and should not be retained.

6. Equality, diversity and inclusion

Policies are inclusive of all Open University staff, regardless of age, care experience, caring status or dependency, civil status, disability, family status, gender, gender expression, gender identity, gender reassignment, marital status, marriage and civil partnership, membership of the Traveller community, political opinion, pregnancy and maternity, race, religion or belief, sex, sexual orientation, socio-economic background or trades union membership status.

7. Useful references

Freedom of Information Policy and Intranet
Data Protection Act
Code of Good Practice and the Employment of Disabled People
Grievance Policy
Disciplinary Policy
Note taking at Meetings & Hearings – A Guide
Meetings & Hearings – Notes Template
Retention Schedule
Bullying and Harassment Policy