



RECORDING POLICY

**This policy applies to all schools in
The Lionheart Educational Trust**

**Approved by Trust Board:
September 2022 – September 2024**



1.0 Purpose

- 1.1 Recordings of voice, video and still images that depict living persons are classed as personal data and are covered under the Data Protection Act 2018 (DPA).
- 1.2 The Lionheart Educational Trust (Trust) has established the following Recording Policy to clearly set out expected behaviours from all persons attending meetings concerning the business of any school within the Lionheart Educational Trust 'the Trust'.
- 1.3 Any persons wishing to use a recording device must read and understand the Acceptable Use Policy, the Mobile Phone Policy and the Data Protection Policy in conjunction with this policy.
- 1.4 For the avoidance of doubt and as most devices are multi-purpose 'Recording' and 'Recording Device' means any electronic device that is capable of playing or recording audio files, video files or taking photographs.

2.0 Policy

- 2.1 This Recording Policy applies to all Trust Staff and any person including parents, carers and authorised adults engaged in any Trust activity.
- 2.2 For the purposes of this policy, the term "Staff" means all members of Trust staff including permanent, fixed term, and temporary staff, governors, trustees, secondees, any third party representatives, agency workers, volunteers, interns, agents and sponsors engaged with the Trust in the UK or overseas. This policy also applies to all members of staff employed by any of the Trust's subsidiary companies.
- 2.3 This policy have been produced to provide clarification to staff and other stakeholders (parents, careers, governors) on the expected conduct at meetings and hearings where there is a requirement to use a recording device.
- 2.4 This policy is written in order to ensure our compliance with the Data Protection Act, Human Rights Act and other relevant legislation. As stated in 1.4 above this policy covers the use of audio, visual or body worn technology to make such recordings.

3.0 Purpose of recording meetings

- 3.1 Recording may be of use for lengthy meetings and hearings where the accuracy of minute or note taking can become difficult over a long period. It may also useful for evidential purposes during official Trust hearings.
- 3.2 Such recordings do not replace the formal record of any meeting, but may assist with the accuracy of the formal record or if there is dispute over what was said. Recording devices should not be used to replace a minute or note taker as technology failure cannot be ruled out.
- 3.3 The Trust will remain mindful of legislation surrounding this topic including the Data Protection Act 2018, the Disability Discrimination Act 1995 and the Equality Act 2010. If a member of staff wishes to record a meeting whether formal or informal due to health reasons (known as a



reasonable adjustment recording), the member of staff should discuss this with relevant parties prior to the commencement of the meeting to seek approval from all parties in attendance.

- 3.4 Where a reasonable adjustment recording has been approved, the Chair or minute-taker of the meeting should make a request to IT Support so that a Trust approved device can be issued to be used for this purpose.
- 3.5 Parents/Carers attending Trust meetings may wish to make a recording for their own records. They may do this on their own device but should agree in advance that the recording is to be used solely for their own purposes and that the recording will not be shared with anyone or posted online via any means.

4.0 Notification of recording

- 4.1 Those attending meetings or hearings must be informed in advance of the intention to record the proceedings. This regulation applies to all stakeholders (Staff, Parents, Governors, Careers etc.). Any request on the day or at the time of the meeting to record the event or hearing will not be accepted and may result in the event or hearing being postponed.
- 4.2 Advanced notification will allow all parties to raise objections in a timely manner. Any objections to recording must be considered by the Chair and the Chair will ultimately decide whether the recording is appropriate in light of any objection.
- 4.3 There are a number of reasons why an audio recording of a meeting may not be appropriate, such as:
- Information is presented by someone who is using sign-language.
 - Information is presented by someone who has a speech impediment and cannot clearly be heard on an audio recording
 - Information is presented by a student who cannot be recorded for legal reasons
 - Information is presented that it is not appropriate to record for safeguarding reasons.

The above is not an exhaustive list. In all cases the decision of the Chair is final.

- 4.4 The Chair must notify all attendees that recording will take place, prior to the commencement of the recording. The recording must stop at the formal close of the meeting or hearing. Attendees who were not present at the start of the meeting must also be notified that recording is taking place at the point that they arrive at the meeting.
- 4.5 The Trust prohibits all persons from entering into all forms of covert recording. Covert recording means monitoring carried out in a manner designed to ensure those subject to it are unaware that it is taking place. This means that staff members must not secretly record workplace interactions with or between colleagues, managers, students or parents using a recording device. This includes but is not limited to 1:1s and appraisal meetings, team meetings, consultation meetings, investigation meetings or grievance and disciplinary hearings.

5.0 Security of devices

- 5.1 Any Trust owned device used to record a meeting or hearing must comply with the Trust's IT Security Policy.



- 5.2 If a person other than a member of staff wishes to record a meeting for personal use as per 3.5 above then they must ensure that the device used has an appropriate level of security so that the data remains protected in the event that the device is stolen.

6.0 Storage and retention

- 6.1 Files of recordings taken on Trust devices should be stored on secure Trust servers with access limited only to those who have a need to access the recordings. The storage of data must comply with the Trusts Data Protection Policy.
- 6.2 The recordings should be retained for a reasonable period after the meeting or hearing. For meetings, it would be reasonable to retain the recording until the minutes have been accepted. For hearings, it may be necessary to retain the recording for a set period after the outcome of the dispute for legal reasons.

7.0 Information requests

- 7.1 Staff must be aware that any recordings of meetings or hearings will be subject to the Freedom of Information Act 2000 and Data Protection Act 2010, where relevant, subject to the standard exemptions from disclosure under those pieces of legislation. Any such requests received should be forwarded to the Data Protection Officer. Where it relates to a dispute, copies of recordings may be shared with relevant parties as part of the normal disclosure process as set out in the Trust's Data Protection Policy.

8.0 Disposal

- 8.1 All recordings must be securely disposed of at the end of the retention period in line with the Trust's data retention policy.

9.0 Review

- 9.1 This policy will be reviewed periodically as it is deemed necessary to ensure that it remains appropriate and up to date. These reviews will be no less frequently than every two years. The policy review will be undertaken by the Director of IT for the Trust and ratified by the Trust Board.