

ANGUS COUNCIL

POLICY & RESOURCES COMMITTEE

8 MARCH 2022

POLICY FOR RECORDING IN MICROSOFT TEAMS

REPORT BY DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES

ABSTRACT

This report presents and seeks approval of the proposed new "Recording in MS Teams" Policy to be adopted by the council.

1. RECOMMENDATION(S)

It is recommended that the Committee:

- (i) notes the proposal that only the types of events detailed in this report can be recorded by the council in MS Teams and that no other events may be recorded; and
- (ii) approves the adoption by the council of the "Recording in MS Teams" policy attached as Appendix 1.

2. ALIGNMENT TO THE COUNCIL PLAN

- 2.1 This report supports the council's aim to be efficient and effective by ensuring that recordings in MS Teams are limited to particular types of events and that these recordings are held securely, used effectively and only for their intended purpose.

3. BACKGROUND

- 3.1 It is proposed that the only types of MS Teams meetings or events permitted to be recorded by council staff and elected members are: -

- 3.1.1. Training or workshops e.g. where presentations or content is recorded to be shared with others at a later date;
- 3.1.2. Staff Briefings and ceremonies e.g. where staff are unable to attend at the time to hear important messages; and
- 3.1.3. Software or other product demonstrations e.g. where new applications or systems are being introduced.

- 3.2 As members will be aware, recording of council and committee meetings are dealt with under separate arrangements and has been happening for some time now following approval by Council.

- 3.3 It is proposed that no other type of event may be recorded in MS Teams. The proposed policy attached at Appendix 1 makes clear that recording of meetings or events in MS Teams MUST NOT be used in situations where personal or sensitive information is going to be discussed. Should the information recorded be accidentally shared or lost this would constitute a serious breach of data protection rules, potentially damaging the reputation of individuals or the council as a whole and could lead to action being taken against the council by the Information Commissioner, including significant fines.

- 3.4 It also makes clear that the Privacy Notice annexed to the Policy must be used in order to get consent from all those taking part in a recorded meeting. Agreeing to take part in the event will be considered as consent from all those taking part.

3.5 Because of the multi-agency nature of the Angus Health and Social Care Partnership (AHSCP) council staff, the AHSCP will be subject to a separate policy and guidance covering the use of MS Teams across both NHS and council in carrying out AHSCP business.

4. FINANCIAL IMPLICATIONS

4.1 There are no financial implications arising directly from this report.

5. EQUALITY IMPACT ASSESSMENT

5.1 An equality impact assessment is not required.

6. CONSULTATION (IF APPLICABLE)

6.1 Consultation has taken place with Digital Enablement and IT colleagues, the Information Governance Working Group and the Information Governance Steering Group who have assisted in the development of the proposed policy.

NOTE: No background papers, as detailed by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to a material extent in preparing the above report.

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List of Appendices:

1. Recording in Teams Policy



DATA PROTECTION
RECORDING IN MICROSOFT TEAMS
POLICY

Version:	V01
Author:	Angela Dunlop, Team Leader Information Governance
Date of Approval:	
Approved by:	P & R Committee
Date issued:	
Next review date:	
Related Documents:	

Microsoft Teams (MS Teams) allows events to be recorded. For the purpose of this policy, a recording can be a video recording of the event, or a text transcript automatically generated by Teams.

The **only** types of events permitted to be recorded are:

Training or workshops e.g. where presentations or content is recorded to be shared with others at a later date.

Staff Briefings and ceremonies e.g. where staff are unable to attend at the time to hear important messages

Software or other product demonstrations e.g. where new applications or systems are being introduced

No other type of event may be recorded.

Recording of events in MS Teams **MUST NOT** be used in situations where personal or sensitive information is going to be discussed. Should the information recorded be accidentally shared or lost this would constitute a serious breach of data protection rules, potentially damaging the reputation of individuals or the council as a whole.

If you are delivering training for a system which usually contains personal or sensitive information, and the intention is to record the session, you must ensure that no live data is used.

If you are unsure whether your event can be recorded, please seek advice from your Information Officer.

Recording of council and committee meetings is permitted and is dealt with under separate arrangements.

Because of the multi-agency nature of the Angus Health and Social Care Partnership (AHSCP) council staff, the AHSCP will be subject to a separate policy and guidance covering the use of MS Teams across both NHS and council in carrying out AHSCP business.

Permissions

Please see the Privacy Notice annexed to this Policy. If you intend to record an event, permission must be requested in advance from the appropriate Service Leader. The Information Officer for your service area should also be notified.

You must also get all participants' permission before you record them so make sure you know the rules before you start. When sending out an invitation you **MUST** use the Privacy Notice annexed to this Policy to make people aware that the event will be recorded and if they object, they should contact the organiser direct. By accepting the invite to the meeting attendees are thereby giving their consent to the recording of the meeting. The organiser should also state verbally at the start of the event that it will be recorded before recording begins. It is the organiser's responsibility to ensure that they have full consent from all participants to record the meeting before it starts.

As stated above you **MUST** add this information to the agenda or invitation as the banner running along the top of the screen may not always be obvious in MS Teams, that a recording is taking place, unless this is stated explicitly.

Transparency

When a recording is to be made participants must be informed that a recording is being made and understand:

- what the recording and accompanying transcript is for
- how it will be used
- where it will be stored
- who will have access to it; and
- how long it will be kept for

Recording

Only the organiser or Host can record an MS Teams event. When a recording starts and while it is recording, MS Teams shows a notification to all participants on the MS Teams desktop, web, and mobile apps, as well as to people who joined via phones. The Host has the ability to disable microphones of attendees, and this should be done at the start.

MS Teams event attendees must be reminded before recording starts that laptop users can blur or replace their video background, and that attendees can turn off video if preferred. Attendees should have their microphone set to mute during the recording unless speaking.

When hosting an MS Teams event, the organiser must advise those attending that “if you have any questions around practice or particular cases, please keep them to the end when the recording has finished” to avoid personal information being recorded.

The recording of training provided by an external provider must be agreed in advance, with the agreed usage captured in writing or by email otherwise we could fall foul of copyright rules.

If Angus Council is the source of the learning, we own the copyright and therefore we can share it. If we use someone else's recording they own the copyright, and we would have to ask permission before sharing.

The undernoted link gives some useful advice on the use of Recording in MS Teams.

<https://www.youtube.com/playlist?list=PLXPr7gfUMmKwYKFSqoPN-aHQppi7rRQLf>

Platforms

Such recordings are automatically stored in Office 365. Any requirement for storage outside of these systems, e.g. for training purposes or placing on YouTube, must be approved by the Service Leader. If you are unsure, advice should be sought from the Digital Enablement and IT service.

Access rights

Normally, recordings will be available to all who attended, and those who were

invited or are part of the group or working on the topic for which the recording is required. If you are saving a recording (or any folder) in the Microsoft 365 / OneDrive environment, you must **NOT** choose the option to share with everyone or allow everyone in the company to access it. If you move the recording to a different area of Office 365 you must be mindful of who will have access to it once moved.

Security

The secure storage and handling of these recordings is paramount. Extra care must be taken when sharing screens as this will also be recorded and may constitute a data breach if a screen is shared and recorded in error. Any data breach must be reported immediately to your service Information Officer.

Processing/Retention/Deletion

Recording owners (either the person who started the recording, or any additional owners named by that person) are the only people who can delete recordings and these recordings must only be kept for as long as is absolutely necessary and will be automatically deleted after 2 years unless there is a request not to do so. Services must have discussed retention and disposal prior to recording and if required this may need to be included in their Information Asset Register.

Be aware that recordings are subject to the Freedom of Information (Scotland) Act and Data Protection Act, where relevant, subject to the standard exemptions from disclosure under those pieces of legislation.

Privacy Notice – Recording of Meetings in Microsoft Office 365 Teams

Confidentiality

Angus Council takes its data protection obligations very seriously and any recordings made in MS Teams will not include any personal or sensitive information.

There are specific situations where the Council would and would not find it acceptable to use MS Teams recordings and these are detailed in the Recording in MS Teams Policy document.

Legal basis for processing and data retention

The legal basis for processing will be consent by participants and as a general guide, recording events in MS Teams will only be kept for as long as absolutely necessary.

Data transfers and sharing

None of the recorded information is shared by the council with any other third- party organisation, other than where this is necessary for the provision of a service you have agreed to, or where otherwise allowed by UK law.

Council MS Teams recordings involve third party processing of your information, and as such are covered by a contract, and details of these services and the [MS Teams privacy and security](#) are available at the Microsoft Trust Centre.

Your rights

If you have any questions relating to your personal information and your information rights, including right of access, rectification and erasure, please see contact your Service Information Officer or the Information Governance Team at informationgovernance@angus.gov.uk.