

# Recording Virtual Meetings and Discussions

May 2020

The COVID-19 health emergency has required the University to work remotely (online).

The University is subject to the *Freedom of Information and Protection of Privacy Act* (FOIP Act). Consequently, the University will have to ensure that the systems and processes put in place for video and audio recordings of its activities is compliant with the FOIP Act. Faculties and Schools should develop policies and procedures to define rules relating to video and audio recording of meetings to inform their staff on appropriate use. This may include preventing the video and audio recording of meetings, or providing clear direction on its use, collection, preservation and management.

## ***To record or not to record that is the question***

When deciding whether to record a meeting, interview, chat etc. one should ask themselves this question.....

If I was having this meeting in my workspace, office or University meeting room, would it be necessary to video and/or audio record this meeting, or would I record the subject and decisions of the meetings by taking notes, etc? If the answer to this question is the latter.....don't create a video or audio recording of the meeting, but do take the notes and maintain them as a University record – just like you would in an in-person meeting.

## ***But it's so convenient to just record!***

Perhaps it is convenient, but we may be collecting more personal information than is necessary to meet the intended purpose, which means that the collection is not compliant with the FOIP Act. Convenience is not an acceptable purpose for the collection, use and disclosure of personal information under the FOIP Act.

**If you are only recording the meeting for convenience it is likely not necessary to create this record, and therefore not compliant with the FOIP Act.**

For example: when you record a meeting you capture not only the subject matter of the meeting, but also the physical images of attendees, their voices (accents, etc.), their opinions, information about the physical space they are in (home, etc.), physical movements, other individuals who may enter the camera view, etc. This information would not be collected if the meeting was in-person and is likely not required to meet the purpose of the meeting.

## ***But I do have a necessary purpose to record the meeting!***

If you have a real and necessary purpose to record the meeting, please review the considerations before recording (not an exhaustive list):

1. When faculty or staff record meetings, interviews, etc., they are creating records on behalf of the University. Therefore, the records are subject to laws, policies and procedures that the University is subject (FOIP Act, UAPPOL, etc.).
2. If the video recordings will be capturing personal information of individuals (their images, responses to questions, opinions, etc.) the collection of that information is subject to the FOIP Act. Under the FOIP Act, there are limited circumstances in which we can collect information, and notification is typically required at the time we collect it. We must provide notification under section 34 of the FOIP Act, which includes the legal authority for the collection, the purpose of the collection (i.e. what the information will be used for) and the name of a contact person. (see sample notification below)
3. When collecting, using and disclosing personal information, we need to do so only to the extent necessary to meet the intended purpose and should always use the least privacy-intrusive method.
4. If we do collect personal information appropriately and we use that information to make a decision about an individual (positive or negative) we need to retain that information for at least one year from the date the decision about the individual is made. The record is also subject to the access provisions of the FOIP Act, meaning people can make a request for it, and we cannot destroy the information prior to the expiration of the one-year retention period.
5. If the recordings are employment or course-related they will likely still be records of the University, even if they are stored on a mobile or personal device. Any mobile or personal device that is storing University records must be encrypted under UAPPOL policy.

## **SAMPLE Notification Template**

**Protection of Privacy** - Personal information is collected under the authority of Section 33 (c) of the *Alberta Freedom of Information and Protection of Privacy Act* and will be protected under Part 2 of that *Act and in accordance with applicable University policies (UAPPOL)*. It will be used for the purpose of documenting the substance of meetings, interviews, etc. relating to business operations of the University of Alberta.

Direct any questions about this collection to: **[contact position, full address, and business telephone number]**.

## **Questions?**

If you have questions about whether to record a meeting to document an activity please contact the University's Information and Privacy Office at [foip@ualberta.ca](mailto:foip@ualberta.ca) and the University Records Office at [hollow@ualberta.ca](mailto:hollow@ualberta.ca).