1. **Introduction**  
1.1 Heriot-Watt University is committed to creating an inclusive learning and teaching environment for all by:  
   - developing accessible learning tools/materials using appropriate platforms to enable access;  
   - supporting teaching and student support colleagues in the production of accessible learning materials;  
   - providing timely and accurately captioned materials to meet student needs.  
1.2 As a University, Heriot-Watt aims to become inclusive by design in our teaching, recognising that this will benefit all students. However, the University must also respond to specific legislative requirements and outline how it is complying with these.  
1.3 The Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018 require that Public Sector Bodies make their website or mobile application accessible by making it perceivable, operable, understandable and robust. These accessibility regulations build on existing obligations to people who have a disability under the Equality Act 2010 (or the Disability Discrimination Act 1995 in Northern Ireland). These say that all UK service providers must consider ‘reasonable adjustments’ for disabled people.  
1.4 Heriot-Watt University falls within the definition of ‘public sector body’. The University’s accessibility statement on websites and related resources is available here: [https://www.hw.ac.uk/uk/about/policies/accessibility.htm#statement](https://www.hw.ac.uk/uk/about/policies/accessibility.htm#statement)  
1.5 ‘Website’ includes virtual learning environments (VLE) which would be classed as an ‘extranet or intranet’ and fall under the regulations from 23rd September 2019. As a result, specific guidance on the accessibility of online teaching resources is required.  
1.6 The Covid-19 pandemic has resulted in the University moving rapidly to a Responsive Blended Learning model of delivery. This involves a significant increase in the volume of teaching materials and events being recorded and released for student learning. Specific guidance on accessibility of these resources is provided here.  

2. **Purpose and Scope**  
2.1 This guidance is provided to ensure staff developing teaching and student support resources and recording teaching and support events are aware of the legal position in relation to accessibility and are aware of the importance of accessibility of materials and inclusive pedagogic practice for all students. The guidance highlights the support available to staff as they develop accessible materials.  
2.2 This guidance focuses on web accessibility. This refers to the inclusive practice of removing barriers that prevent interaction with, or access to websites, by people with disabilities. A disability might affect vision, manual dexterity, cognition or reading. It might be permanent, but anyone can be temporarily or situationally disabled.
2.3 The focus of this guidance is on captioning and transcription of pre-recorded resources and ‘live’ teaching and support events to support their accessibility.
2.4 This guidance will be developed, in due course, into a policy statement.

3. Regulatory Requirements
3.1 In accordance with The Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018, after 23rd September 2020, all pre-recorded time-based media needs to be made accessible by making it perceivable, operable, understandable and robust. For this type of media, this would include providing captions and transcripts.
3.2 Time-based media is defined as “media of one or more of the following types: audio-only, video-only, audio-video, audio and/or video combined with interaction.”
3.3 The regulations do not apply to pre-recorded time-based media produced before 23 September 2020.
3.4 The regulations also do not apply to live time-based media, however, The EU regulations (Dir 2016/2102) (on which the UK regulations are based) state in s.27 that “Live time-based media that are kept online or republished after the live broadcast should be considered as pre-recorded time-based media without undue delay from the date of the initial broadcast or republishing of the time-based media, not exceeding the time strictly necessary to make time-based media accessible with priority being given to essential information relating to the health, welfare and safety of the public. That necessary period of time should in principle be no longer than 14 days. In justified cases, such as when it is impossible to procure the relevant services in due time, that period might exceptionally be extended to the shortest time necessary to make the content accessible.”

Reading these together with the PSBAR 2018 means that any live time-based media produced after 23 September 2020 and kept for longer than 14 days could be considered as ‘pre-recorded time-based media’ and should be treated accordingly.

4. Identifying Disproportionate Burden
4.1 The PSBAR 2018 notes that, where making an item accessible would place a disproportionate burden on the public sector body, then they must perform an assessment of the extent to which the requirement would create such a burden, taking into account all relevant circumstances. These circumstances include (section 7(3)):

“(a) the size, resources and nature of the public sector body; and
(b) the estimated costs and benefits for the public sector body in relation to the estimated benefits for persons with disabilities, taking into account the frequency and duration of use of the specific website or mobile application.”

4.2 Where the body determines that compliance with the accessibility requirement would impose a disproportionate burden, it must explain this in its accessibility statement and where appropriate provide accessible alternatives. Heriot-Watt University is currently undertaking such a review and will update this guidance, as appropriate, in light of this
review. The guidance presented here is a deemed a pragmatic response to the current context, but will be kept under live review.

5. Heriot-Watt’s Covid-19 Response and Disproportionate burden
5.1 Heriot-Watt normally teaches on-campus with limited use of pre-recorded time-based media or live time-based media. The move to blended learning necessitated by the global pandemic means that there will be substantial increase in the use of pre-recorded time-based media or live time-based media for AY2021. This is a considerable change for Heriot-Watt and as such it does not yet have appropriate technology in place to provide captions or transcripts for such material in all circumstances.

5.2 Given the rapid speed at which the University is upscaling recording of teaching resources, it could be considered a disproportionate burden to provide captioned materials across all recorded resources. Prioritisation of when captioning and transcription is undertaken will therefore be required.

5.3 This prioritisation will (a) ensure captioning and transcription of all pre-recorded materials, prepared by staff prior to delivery and (b) ensure live recordings of teaching events, which will then be stored and used beyond a 14-day period, are accessible to all in that study cohort.

6. Guidance on Captioning of Recorded Sessions
6.1 It is proposed that, for AY20-21, staff preparing pre-recorded materials for use as part of their course should ensure auto-captions and transcripts are provided. It is desirable that these are human-corrected captions. Where students have an identified need for this, human-corrected captions / transcription will be mandatory.

6.2 Practically, we would advise colleagues to do all pre-recording in MS Stream or Teams, where auto-captioning is automatically produced. Students should be advised that auto-captioning may not be 100% accurate.

6.3 For ‘live’ recordings of Microsoft Teams teaching sessions (which will be deemed pre-recorded after 14 days), captioning and transcripts will be automatically produced.
- All classes where students have a learning profile which identifies captioning / transcripts as a support need must have human-corrected auto-captions and transcripts provided.
- To support an inclusive learning environment, benefitting all students, it is desirable to have auto-captioning and transcripts provided for all recorded classes. It is desirable that captions / transcripts are human-corrected.

6.4 For live recordings of Collaborate Ultra teaching sessions (which will be deemed pre-recorded after 14 days):
- Collaborate Ultra provides the option to have live captions only through having a captioner (i.e. someone to type the captions. This is a particular skill and may require to be undertaken by someone trained as a palantypist or similar.) Any need for live
captioning will be identified through the student’s learning profile identified by the Disability Service and provision made accordingly.

- All classes where students have a learning profile which identifies captioning / transcripts as a support need must have corrected auto-captions and transcripts provided. This can be done by ensuring the recording is downloaded and uploaded into MS Stream to be auto-captioned after the session. A link to the MS Stream recording will be provided via the course site on the VLE (Vision). Corrections to transcripts must be made.

- To support an inclusive learning environment, benefiting all students, it is desirable to have the recording downloaded and uploaded into MS Stream to be auto-captioned after the session. A link to the MS Stream recording will be provided via the course site on the VLE (Vision). It is desirable that captions / transcripts are human-corrected.

6.5 Pre-recorded time-based media also includes podcasts. These can be created in a range of media apps. Any podcasts created should be provided along with a transcript.

7. Practical Support and Training

- Staff can access practical guidance on captioning and transcription via the Learning and Teaching Enhancement Service. https://heriotwatt.sharepoint.com/sites/is-ltestrainingcentre/SitePages/Captioning.aspx

- Staff can access advice and guidance from the University Disability Service here: https://heriotwatt.sharepoint.com/sites/registry-disabilityteam/SitePages/Teaching-and-Assessment-Information.aspx

- Additional time will be required to check and correct transcription. Schools may wish to consider this in relation to course team workloads. It may be appropriate, for example, to consider offering student internship-type roles to support course / programme teams in developing and amending transcripts of pre-recorded and live sessions.

8. Additional Information

- University Accessibility Statement: https://www.hw.ac.uk/uk/about/policies/accessibility.htm#statement

- University equality and diversity policy https://www.hw.ac.uk/uk/services/docs/hr/policies/EDPFinal.pdf

- University disability support guidance https://www.hw.ac.uk/uk/services/information-governance/access/foi/8-13-support-disabled-people.htm

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