Audio or Video Recording of Work-related Meetings and Discussions

1.0 Objective and Scope

1.1 This Guidance Note highlights UQ’s position on audio and video recording of work-related meetings and discussions and provides guidance on the minimum requirements that must be observed by all UQ Staff regarding this matter.

1.2 This Guidance Note does not apply to the recording of lectures and tutorials for academic purposes. Please contact Legal Services for advice on such recordings.

2.0 UQ’s position on recordings

2.1 UQ staff should not use electronic devices to make video or audio recordings of work-related meetings, discussions or other private conversations without approval, even if they are a party to the conversation. This includes discussions with students and other third parties, other than recordings of lectures and tutorials for academic purposes.

3.0 What you must know

3.1 The Invasion of Privacy Act 1971 (Qld) applies to the use of listening devices to listen to or record private conversations. Listening devices include computers, tablets and mobile phones. Most work-related meetings and discussions will be private conversations under this Act.

3.2 Under the Invasion of Privacy Act 1971 (Qld), criminal offences can apply to recording private conversations and, even if a recording is legal, can also apply to publishing or communicating the recording to anyone else or any information about it, unless an exception applies.

3.3 Any recording that is made becomes a UQ record, to which a range of Queensland laws and regulations apply, including the Information Privacy Act 2009, the Public Records Act 2002 and the Right to Information Act 2009. These impose obligations on UQ concerning the storage, use, disclosure, retention and destruction of UQ records.

3.4 Additionally, laws governing intellectual property and confidentiality may also impact UQ’s ability to make and use recordings.

3.5 Failure to comply with applicable laws and regulations may result in complaints and regulatory actions against UQ and potentially even criminal sanctions against UQ and the individuals involved.

4.0 What you must do

4.1 Unless absolutely necessary, do not audio or video record work-related meetings and discussions.

4.2 If it is considered that audio or video recording of a work-related meeting or discussion is necessary or will provide demonstrable benefits to UQ, you should seek approval from your supervisor. If you are unsure of the applicable rights and obligations, you should contact Legal Services for advice.

4.3 When considering whether an audio or video recording of a work-related meeting or discussion is necessary or will provide demonstrable benefits to UQ, a supervisor must also ensure the recording, including its purpose and potential use:

- Is consented to by all persons participating in such meetings and discussions;
- Is in full compliance with UQ Values, Code of Conduct, policies and procedures;
- Will not infringe any third party’s rights in intellectual property or confidential information; and
- Is permitted under applicable laws and regulations.

4.4 If audio or video recording is to be undertaken and has been approved then, in addition to complying with sections 4.2 and 4.3 above, you will need to ensure the following requirements are demonstrably met before the recording commences (and when anyone joins the conversation):
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- Everyone involved in the meeting or discussion is fully informed of the following matters:
  - the purpose of the recording;
  - the means of recording;
  - the precise use of the recording; and
  - if it could be disclosed to other staff or third parties, details of who and why.
- If anyone involved in the meeting or discussion objects to the recording, their views must be respected and alternatives explored and the recording should not be made.

5.0 What you must **NOT** do

5.1 Do not covertly record work-related meetings or discussions.

5.2 Unless you have an appropriate approval, do not record a work-related meeting or discussion, even if the participants know you intend to record it.

5.3 Do not pressure or compel people to agree to audio or video recording of their work-related meetings or discussions.

5.4 Do not use the recording for any purpose other than the purpose described in accordance with section 4.4.

5.5 Even if it was approved, do not give the recording (or any statements prepared from it) to anyone who was not a party to the meeting or discussion unless all parties to it consented to the disclosure.

6.0 Advice

6.1 If you are unsure and need advice, please contact:

- Legal Services: legalservices@uq.edu.au
- Governance and Risk: rtip@uq.edu.au