Secretariat: Executive Office of Technology Services and Security

Policy Name: Use of Client-Side Cisco Webex Recording Functionality

Issuance Date: September 23, 2019

Last Revision: February 27, 2020

1. **Purpose:**

The purpose of this policy is to set forth guidelines and a procedure for EOTSS users to request access to use client-side Cisco Webex recording functionality (“Recording Functionality”). Although Webex offers both server-side and client-side recording, EOTSS users may only use client-side recording.

1. **Federal and State Requirements:**

There are no applicable federal or state requirements because this Policy provides only internal guidelines and a procedure for requests to access the Recording Functionality.

1. **Definitions:**

For purposes of this Policy, the following terms shall have the following meanings:

1. Confidential Information (CI): confidential information shall mean all non-public information that is exempt from disclosure pursuant to the Public Records Law. *See* G.L. c. 66 and G.L. c. 4, § 7, ¶ 26. Confidential information shall also mean information protected by the attorney client privilege, including common interest, or the work production doctrine.
2. Personal Information (PI): personal information, as defined in M.G.L. c. 93H, § 2 and M.G.L. c. 93I, § 1, including amendments thereto.
3. **Policy:**
4. **Specific Uses**

EOTSS permits personnel to use the Recording Functionality for approved, specified uses only. Users must identify all uses in the attached User Request Form (see Appendix A). Restrictions may apply to the recording of Personal Information (PI), Confidential Information (CI), and other sensitive information.

1. **How to Request Recording Functionality**

All requests to use the Recording Functionality must be submitted to the EOTSS General Counsel or his/her designee. Users must submit the signed User Request Form (Appendix A). Requests may be subject to employee bargaining requirements.

1. **Public Records**

All recordings will be subject to Massachusetts Public Records Law and may be subject to disclosure in response to public record requests, unless a statutory exemption or other legal protection from disclosure applies.

To the extent practicable, employees must avoid disclosing PI, CI, or other sensitive data in any recording. Employees should use discretion in recording discussions involving policy development, legal advice, or potential physical, personal, or cyber security risks.

1. **Notice**

**Users must provide prior notice to all participants to a recording and obtain such participants’ consent.** Users must also notify participants that the recording will be considered public record and may be subject to disclosure. Participants may request that the session not be recorded or remove themselves from the recording at any time during recording.

1. **File Storage**

Upon creation, EOTSS users must export their recordings, save at least one (1) copy in a machine-readable format (e.g. .MP4 file) within the user’s assigned location in the OneDrive network, and provide one (1) copy to EOTSS Legal.

1. **Confidentiality**

Prior to using the Recording Functionality, users must review the following Cisco statements regarding data privacy and security:

1. Cisco Online Privacy Statement:
<https://www.cisco.com/c/en/us/about/legal/privacy-full.html>
2. Cisco Webex Meetings Privacy Data Sheet: <https://www.cisco.com/c/dam/en_us/about/doing_business/trust-center/docs/cisco-webex-privacy-data-sheet.pdf>
3. Cisco Universal Cloud Agreement: <https://www.cisco.com/c/en/us/about/legal/cloud-and-software/universal-cloud-agreement.html>
4. **Compliance:**

Failure to comply with this EOTSS Policy may result in the revocation of Recording Functionality privileges, and/or other disciplinary action(s).

1. **Policy Review:**

This policy shall be reviewed every three (3) years, or more often as necessary.

**Appendix A**

**Cisco WebEx Recording – User Request Form**

1. Requester Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
2. Requestor Contact Information:
	* + Telephone Number:
		+ Email Address:
3. Please describe your specific uses of the Recording Functionality.

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1. Will the recordings contain personal information (PI), confidential information (CI), or other sensitive data? Yes □ No □

If yes, please describe nature of information: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

By signing below, Requestor attests to the truth and accuracy of the above information, and has read and agrees to comply with the EOTSS Policy on the Use of Cisco WebEx Recording Functionality:

Requestor Signature Date

Manager Signature Date

Request approved by EOTSS General Counsel or his/her designee? Yes □ No □

EOTSS General Counsel or Designee Signature Date

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Print Name and Title