

Copyright Policy

1. Introduction

- 1.1 This policy sits within the context of UK law with particular reference to:
 - The Copyright, Designs and Patents Act 1988 (as amended);
 - The Copyright and Rights in Databases Regulations 1997;
 - Any other related legislation which has an impact on management of intellectual property rights.
- 1.2 The policy will encompass and adapt to any new regulations which may come into force and resultant updates/enactments to the legislation listed.
- 1.3 This policy also sets out what can be photocopied and what digital copies can be made in line with the University's Copyright Licensing Agency licence.
- 1.4 In addition to copyright this policy also relates to database and performers' rights.
- 1.5 Copyright is a type of intellectual property. Other types include patents, designs, trademarks and confidential information.
- 1.6 The University recognises that the creation and use of copyright material is a fundamental element of the higher education environment. This policy is intended to provide clear statements on how material protected by copyright and related rights should be used and how risk relating to this material will be managed at the University.
- 1.7 This policy covers all copyright material in any form - analogue or digital - used within the scope of University activity. For the avoidance of doubt, this material includes, but is not limited to: text, images, databases, drawings, graphic designs, logos, sound recordings, films, broadcasts, computer programs (software) and electronic material stored on local and remote drives and on internet sites.
- 1.8 This policy does not cover use of University computers. For queries about this please see the relevant IT Policies.
- 1.9 This policy does not define the ownership of intellectual property.

2. Objectives

The objective of this policy is to clarify responsibilities for supporting and demonstrating best practice in the management and use of copyright material at the University. This applies to learners, staff, visitors and partners.

3. Responsibilities

- 3.1 All staff, learners, visitors and partners shall adhere to UK law and will abide by the copyright and Intellectual Property Rights (IPR) clauses in the following regulations/policy documents:
 - [Library and Learning Services regulations](#)
 - IT Policies (available on the Staff Information Portal)
 - [Chest User Obligations](#)
 - [JANET Acceptable Use Policy](#)
 - Various End User agreements and User Obligations in place (software and databases under licence, for example EBSCO, iSpring, Science Direct etc.)

- Policy on the provision and use of electronic learning resources via Moodle (the VLE) and the recording of lectures (available on the Staff Information Portal)
- 3.2. It is the responsibility of individual members of staff, learners and others working on behalf of the University to make legitimate use of copyright material. Anyone who deliberately violates this policy will be subject to standard disciplinary procedures.
 - 3.3. The Head of Library and Learning Services can provide guidance on copyright issues and will review the Copyright Policy every three years (or as required following any significant changes in legislation or licensing practice).
 - 3.4. Library and Learning Services department will demonstrate and promote best practice in the use of copyright resources. This will include both digital and non-digital resources within the Library collections, third party software and other copyright material created within the University.

4. Risk Management

- 4.1 At times it may be necessary for learners or staff to take a risk-managed approach to the use of copyright material. This should be done following best practice and with due diligence in order to minimise the impact of any infringement claims. The Library Services Manager can be contacted for advice on best practice and if assistance is required on identifying the level of risk and the appropriate due diligent activity to take.

5. Licences

The University will, where available, acquire licences from appropriate licensing bodies to use third party copyright material in line with University requirements. The Library Services Manager will maintain a record of any University -wide copyright licences and provide information on how they apply to University activities.

6. Copyright Licensing Agency (CLA) Licence & Digital Content Store

- 6.1 The University's Copyright Licensing Agency (CLA) licence allows teaching staff to make multiple photocopies and to make available digital copies within the Virtual Learning Environment (VLE) / Moodle of extracts (e.g., images) or whole scanned chapters or journal articles to identified cohorts of students. Currently, the CLA licence allows the following:
 - a) In relation to creating course learning materials (of hard-copy or electronic material we hold in stock or subscribe to) or examination questions, the law allows copying for non-commercial research and private study of up to:
 - i. One chapter or 10% (whichever is the greater) of a book.
 - ii. One whole article or 10% (whichever is the greater) of a journal issue.
 - b) Online material can be used:
 - i. Which we own or subscribe to, e.g., Anatomy TV, and content from journals that we subscribe to.
 - ii. Which is open access and copyright-free (e.g., creative commons images at <https://search.creativecommons.org/> where posting a resource URL hyperlink is the best approach).
 - iii. And in either of the two cases above, where copyright permissions have been granted via the CLA at: <https://www.cla.co.uk/check-permissions-start>.
- 6.2 In relation to accessing learning resources electronically, the University provides digitised core reading materials that can be accessed via the VLE and online databases.
- 6.3 For photocopying purposes teaching staff may legally copy images, extracts, articles and chapters, in digital form:
 - a) Up to 10% of a publication or (if greater) a whole book chapter or a journal issue article, where the University holds the item in stock;
 - b) Material that the University or the University lecturer holds the copyright for (see Section 5).
- 6.4 Certain material cannot be copied legally in digital form. This includes:
 - a) Unpublished material, e.g., Dissertations (except for UCO School of Osteopathy dissertations)
 - b) Maps, chart and books of tables
 - c) Content from U.K. newspapers
- 6.5 Electronic resources can be downloaded and printed once or emailed to a student for private use. This document may not be subsequently forwarded-on or re-copied.

- 6.6** Copyright notices should be either attached to each article, lecture handout, course pack, or resource, and be visible as users open the VLE. The CLA's Digital Content Store (DCS)¹ automatically generates electronic coversheets with content, which indicate copyright compliance. See Appendix 1 for more guidance on copyright procedures.
- 6.7** Under the terms of the CL licence, the University is required to report annually on all textbook and journal resources used on the VLE,
- 6.8** The DCS is used to report annually to the CLA, and enable compliance with copyright law. Using the DCS means that the reporting process is more automatic and efficient compared with manual reporting. Guidance has been developed to support all staff with updated copyright procedures (see Appendix 1).

Version:	2.2
Approved by:	Academic Board
Originator/Author	Library Services Manager
Policy Owner	Library Services Manager
Reference/ source	CILIP Guidelines, University of Kent template, with permission
Date approved	26 July 2024
Effective from	August 2024
Review date	2024/25
Target	All contracted staff and all students and apprentices
Policy location	Internal
Equality analysis	No direct impact

¹ <https://cla.co.uk/resources/tools/digital-content-store/>

Appendix 1: Copyright Information for Staff

Why is Copyright Important?

Do not risk copyright infringement in your workplace. Most published content is protected by copyright. If you wish to copy, share and re-use it at work, then permission is required to avoid breaking the law.

This applies to all types of publications whether digital or print as well as externally supplied press cuttings or purchased documents.

More information about copyright infringement can be found here: - <https://www.cla.co.uk/complying-with-copyright>

What is the Digital Content Store (DCS)?

The Digital Content Store (DCS) is a repository overseen by the Copyright Licensing Agency (CLA). The DCS makes copyright reporting and compliance more automatic and streamlined. It stores CLA compliant scans of book and journal extracts for most UK universities. For example, the DCS keeps scans of documents on its cloud-based system and provides stable URL links which can be embedded into the VLE allowing staff and students to access course materials via the DCS, freeing up space on the VLE and ensuring copyright compliance.

Additional advantages of using the DCS include: -

1. The DCS automatically adds the official CLA cover sheet.
2. The DCS automatically checks that an extract can be used, is compliant under the CLA licence and does not exceed extent limits (10% of a book or 1 chapter; 1 article from an issue or 10% from that same issue).
3. Rollover is automatic, staff simply need to confirm that a unit is continuing. Course codes and titles are added to the DCS, and the CLA compliance officers are available to support teaching staff with making academic requests.
4. If another Higher Education Institution (HEI) has already uploaded the same desired extract, that can be used without the need to digitise the content again, providing the University owns a copy of the material.
5. The DCS has a student reader (powered by Kortext) which gives students easy access to content uploaded and assigned through the DCS. Students can choose to read within the browser, download a PDF, print, and automatically cite copied quotations.

How Does the DCS Work?

Set up your DCS account registering as a 'New User'.

If you want to place a new scanned extract from a book or journal article onto a VLE course page, complete and submit the online Academic Request Form (ARF) which can be found at: <https://academicform.cla.co.uk/Home/Login>.

Check the details of a request against the DCS for compliance. The following checks and tasks should be completed:

1. Is the request covered by the University's CLA licence?
2. Has another HEI already uploaded the same abstract?
3. If the material can be uploaded under the licence, a learning advisor will scan your extract and upload it to the DCS.

You will then be sent a stable URL to add to the VLE where the PDF / scan of the copied material would have been and/or to add to the associated reading list for students. When this URL is added to the VLE, only then is the copied material CLA compliant.

Please note, the copied content must be open access or the University must own a copy of the copied material. If the University does not currently own a copy, we may purchase a copy, or we can purchase a copyright fee paid copy from the British Library. In these cases, please contact Learning Services (learningservices@aecc.ac.uk).

What is Not Covered by the CLA Licence

Some materials are not covered by the University's CLA licence. In these cases, copyright permissions must be negotiated and paid for on an individual basis, and includes:

- Printed Music
- Excluded Works

- Maps and Charts
- Workbooks
- Assignment Sheets

What is Open Access?

Open access (OA) refers to the free, immediate, online availability of research outputs such as journal articles or books, combined with the rights to use these outputs fully in the digital environment. OA content is open to all, with no access fees. Examples of OA content include:

- [Directory of Open Access Journals \(DOAJ\)](https://doaj.org/) - <https://doaj.org/>
- JSTOR - <https://about.jstor.org/oa-and-free/>
- PLOS - <https://plos.org/>
- Unpaywall - <https://unpaywall.org/>

Where can I find more information about the CLA Higher Education (HE) license?

For a detailed but 'plain English' guide to the Licence terms and conditions please see this document:
<https://www.cla.co.uk/sites/default/files/CLA-HE-User-Guidelines.pdf>

For more information on full Terms & Conditions of the Higher Education Licence please see this document:
<https://www.cla.co.uk/sites/default/files/CLA-HE-Licence.pdf>