Copyright Policy

Copyright Co-ordinator:	**Sebastian Alexa**
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1. Purpose of this policy

The purpose of this policy is to ensure all staff and students at Bird College:

- Are aware of what copyright is and why it is important
- Have a general awareness of what copying and scanning is permitted under UK law and the licences held by Bird College
- Can keep their copying and scanning legal
- Know where to find further information

It also aims to ensure that staff:

- Are aware of the basic legal requirements regarding the copying, scanning and distribution of items on reading lists or course packs
- Know how to request scanning of items for reading lists
- Know how to request training to allow them to scan items according to legal requirements

It also lays out the responsibilities of the Copyright Co-ordinator

2. What is copyright?

Copyright is legal concept that grants creators control over certain uses of their intellectual property for defined periods of time. It limits who may copy, change, perform, or share those creations.

Copyright law protects the following: literary works, musical works, dramatic works, graphic arts, motion pictures and audiovisual works, architectural works, and computer software.

Copyright lasts for 70 years after the death of the copyright owner. Where there are multiple creators, such as a musical work with a composer and lyricist, copyright lasts for 70 years after the death of the last creator.

Copyright in the UK is governed by the Copyright, Designs and Patents Act (1988).

Copyright helps to ensure creators are fairly paid for their work, and to protect their reputation from being damaged by their work being distorted or abused, legally referred to as financial and moral rights.

3. Copyright compliance (keeping your copying legal)

All staff and students are expected to keep within copyright law and keep their copying legal. UK law restricts the amount of copyrighted material you can legally copy. You may legally make a print or electronic copy of a small extract of a copyrighted work without seeking permission from the rights holder, providing it does not harm the commercial or other interests of the author or copyright owner. This is known as 'Fair Dealing'. The key relevant examples of Fair Dealing are listed below. (Sections 3.1 – 3.4). Making copies of whole works, or substantial parts of copyrighted works, is not permitted except in very specific circumstances. (See 3.4 below).

3.1 Teaching: The copying of works in any medium is permitted if the use is solely to illustrate a point, it is not done for commercial purposes, it is accompanied by a sufficient acknowledgement, and the use is fair dealing.

3.2 Research or private study: Single copies of short extracts of a work may be made for personal study. You may not make multiple copies, and you may not make copies for someone else.

3.3 Criticism, quotation and review: Short quotes from copyright material may be included in assessed work provided it is properly acknowledged and referenced.

3.4 Disability: If Bird College owns a work that is inaccessible to a user because of a physical or mental impairment, that user is permitted to make, or have someone else make, an accessible copy of that work, provided that an accessible version is not commercially available. For example, it would be permitted to make a large print copy of a book for a student with a visual impairment, if a large print copy is not available to buy.

4. Copyright Licences held by Bird College

In addition to the rights mentioned in Section 3, Bird College holds the following licences which permit additional copying.

The Copyright Co-ordinator will maintain a record of all copyright licences held by Bird College and provide information on how they apply to college activities.

Copies of licences are to be displayed at all photocopiers.

4.1 CLA Higher Education Licence: Bird College holds a licence with the CLA that, subject to terms and conditions, permits the copying and re-use of extracts of text and still images from printed books, journals and magazines, and from digital publications including some free-to-view and subscription websites. Full terms of the licence can be found here:

https://www.cla.co.uk/higher-education-licence

Under the terms of the licence, you may legally copy:

- One whole chapter from a book
- One whole article from a journal issue
- One whole scene from a play
- One short play (10 pages or less) from an anthology

Or 10% of the publication, whichever is the greater.

This applies when copying from both print and electronic versions of books and journals, and applies equally to photocopies, digital scans, and photos taken with a phone.

The CLA licence covers the photocopying and scanning from most, but not all, UK publications, and a number of US and international publishers. Certain categories of work, including printed music are not covered by the licence. A full list of excluded material can be found on the CLA website:

https://cla.co.uk/excluded/he-print

The licence covers the scanning of limited extracts of copyrighted material to be made available for teaching purposes to Bird College students. For full details, please see Section 5.

The current licence expires 31.07.2025

4.2 NLA Education Establishment Licence: This licence provides permissions to copy and reuse print and digital news content. You may legally:

- Make copies from UK national newspapers plus 5 regional titles
- Upload and store copies of news articles on an intranet or shared drive
- Email copies to students and staff

The current licence expires 31.07.2025

4.3 ERA Educational Recording Agency: This license enables the college to make use of recordings of TV and Radio Broadcasting. All students and staff may use the ERA platform to watch, and/or request audiovisual material. A full list of available contents can be found on the ERA website:

https://era.org.uk/

The current licence expires 31.07.2025

4.4 HEPML Higher Education Printed Music License: This license allows all students and staff to copy most sheet music as long as it is not listed on the 'excluded' list and an original is owned by the college.

https://pmll.org.uk/guidance/higher-education-printed-music-licence-hepml-exclusion-list/

Under the terms of the license, you may legally copy:

- Whole publication with the exception of workbooks – no more than 10%
- Anthologies which are on the excluded lists, limited to 10% of the number of works

All copies must be reported through the Microsoft Form by all students and staff. The form is displayed at all printers and sent by the librarian regularly to all students. Data collection is essential to ensure that all creators are fairly renumerated and that the college continues to adhere to copyright law.

The current licence expires 31.07.2025

5. Digital copies of Course Texts

Digital copies of selected material from reading lists are available on Teams [E-resources] on all Bird College computers.

If staff would like material to be added to the shared drive, please contact the Copyright Co-ordinator with details of the material to be scanned and the course it is needed for, and you will be sent a PDF copy of your requested text.

Material is to be scanned and added to the shared drive by the Copyright Co-ordinator or other designated person only. If staff would like to become a designated person, please contact the Copyright Co-ordinator to arrange training in the procedure for making digital copies.

A copyright notice must be attached to each digital copy.

Digital copies must be from material owned by Bird College, alternatively copyright paid copies from the British Library may be purchased by the Copyright Co-ordinator.

Not all material is permitted to be distributed as a digital copy. Please speak to the Copyright Co-ordinator if you would like to copy material not covered by the licences listed in section 4.

It is not permitted for staff to make copies from their own personal material.

The copyright co-ordinator is to review all material on the shared drive at the end of each module and material no longer needed should be removed.

Where necessary, it is permitted to send a digital copy to a course user, by sending it to their secure college e-mail address as an attachment.

All new digital copies of course texts made in the period covering 1st June – 31st May must be reported annually to the CLA by the Copyright Co-ordinator by 15th June of the same year.

Students and staff may request digital sheet music to be added to the college Teams channel as long as it is not on the excluded list.

See also: Procedure for the Making of Digital Copies of Course Texts

6. Further information on copyright

All questions on copyright at Bird College should be directed to the Copyright Co-ordinator, in person or at the copyright details outlined on the front page of this policy.
Further information on copyright can also be found at the links below.

Statutory Guidance from the UK Government:

https://www.gov.uk/government/publications/copyright-acts-and-related-laws

Copyright Licensing Agency:

https://cla.co.uk/

Music Publishers Association:

https://mpaonline.org.uk/

Copyright User:

https://www.copyrightuser.org/

7. Document Control:

Document title: **Bird College Copyright Policy**

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Review Date	Changes to Policy
30.10.2020	Minor changes to wording for clarity in Sections 1 & 5, updated licence expiry dates in Section 4.1
05.09.2022	Library Coordinator's details updated on cover page
12.11.2024	Added Subsection 4.4, updated Section 1 & 5 for clarity, updated license expiry dates in Section 4.