



Heathfield Community College Copyright Policy

Our mission statement: *“Outstanding learning and personal development for the future”*

Heathfield Community College Copyright Policy

Summary

Our copyright Policy has been written by the college in line with East Sussex LA guidance. What follows in this document should be read in conjunction with other college policies on Communication, E-Safety and Data Protection.

General Aims

The purpose of this document is to present guidelines for staff wishing to use materials in their lessons and when deciding what materials are suitable for publishing on the College Website. This document will be reviewed and updated at least every two years by the Senior Leadership Team and the Governing Body.

What is Copyright?

Copyright is an intellectual property right giving the owner of the copyright control over the use of the copyrighted material. This applies to, but is not restricted to:

- original literary (including software), dramatic, musical or artistic works,
- sound recordings, films or broadcasts, and
- the typographical arrangement of published editions.

More specifically, copyright applies, amongst other things, to

- MP3 (or similar) music files that contain any samples of previously published music or lyrics.
- MP4 (or similar) video files that contain any samples of previously published music or lyrics or visual images taken from any pre recorded source.
- Photocopies from text books posted onto the college website are copyright protected and cannot be used on the non secure sections of the college website at all but as long as the LA continues to buy into a blanket copyright licence for its schools they can be used on the college network or the secure sections of the college website for purposes that are directly related to a learning activity.
- Most image / picture files that can be found from image searches in normal search engines are copyright protected and cannot be used on the college website at all but there is a list of websites where such copying is allowed, known as the “List of participating Digital publishers”.

The Legal Framework

Please refer to appendix 1 for the legal framework on copyright.

Copyright Agencies and ESCC LA Licences

The agencies charged with licensing and enforcing issues of copyright and details of the licences that ESCC LA subscribe to on the College’s behalf are as follows:

1. **CLA licence - Copyright Licensing Agency**
Allows schools to photocopy extracts from books, journals and magazines.
Website: www.cla.co.uk
E-mail: cla@cla.co.uk
2. **ERA licence - Educational Recording Agency**
Allows schools to record and show radio and television programmes for educational use.
Website: www.era.org.uk
E-mail: era@era.org.uk
3. **PPL licence - Phonographic Performance Limited (PPL)**
Allows schools to play sound recordings in public. PPL work on behalf of recording companies and performers.
Website: <http://www.ppluk.com/>
E-mail: ppo.info@ppluk.com
4. **PRS licence**

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Allows schools to play sound recordings in public. PRS work on behalf of publishers and composers.

Website: www.prs.co.uk

E-mail: prs@cefm.co.uk

Unless the materials are listed in the exemptions list (see below for further detail), the Schools Licence expressly allows staff to

- copy and share extracts or articles from millions of UK and international books, journals and magazines.
- make digital copies by scanning or retyping for distribution to pupils, parents and teachers who have access to an institution's secure network.
- use copies with digital whiteboards, VLEs and in presentations for teaching or training purposes.
- make digital copies to be made from e-books or e-journals to be downloaded, printed out and stored by students or stored on a VLE or course restricted intranet.
- to use digital and website material that has been opted into the licence

It defines a "secure network" to include the password protected parts of a Virtual Learning Environment, meaning that allowed materials can be published to the college website if the pages on which they can be found are password protected for the use of staff, students, parents and carers and governors only.

List of excluded categories

- printed music (including the words);
- maps, charts;
- any work on which the copyright owner has expressly and prominently stipulated that it may not be copied under a CLA Licence;
- workbooks, workcards or assignment sheets.
- Image / picture files that are not copied as a part of an article or extract

An extensive and complete exemptions list can be found at the following URL:
http://www.cla.co.uk/licences/excluded_works/excluded_categories_works/

Heathfield Community College's Approach

In accordance with East Sussex County Council Educational Copyright Licence, all Heathfield Community College staff must comply with the following guidelines

Responsibilities

The headteacher will:

- Make sure that procedures are in place to ensure that the use and / or copying of materials is allowed under copyright law before they are copied or used in a learning activity.
- Make arrangements to regularly remind teaching and other staff of their obligation to stay within the law when using copyright materials and to remind them of what those obligations are, especially concerning the publishing of materials on the college website. This includes informing staff if the LA schools licence changes or is not renewed.
- Ensure that procedures are in place to make sure, before images of student's work are published on the internet, that the college has permission from the owner of that work.
- Make arrangements to regularly remind staff that students work which contains images of other people can only be posted onto the website if the permission of those people has been gained in advance through the network agreement permissions list.

The reprographics assistant will:

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- Refuse to copy any materials that are not covered by the schools' licence held by the local authority or not allowed under copyright law
- Ensure that staff asking for materials to be copied have acknowledged that they have read and understood the CLA licensing agreement.
- Refuse to copy any requests sent by email, which contain copyright material, for which the sender has not included a statement to say that they acknowledged that they have read and understood the CLA licensing agreement.

Classroom teachers / Learning facilitators will:

- Check, before copying any materials that it is allowed for them to do so. If in doubt teachers should first consult the reprographics assistant. If doubt remains, further information can be found on the CLA website at the following URL:
<http://www.cla.co.uk/>
- If it is allowed for them to copy materials, provide "sufficient acknowledgement". Sufficient acknowledgement is defined as "identifying the work in question by its title or other description, and identifying the author, unless: in the case of a published work, it is published anonymously; in the case of an unpublished work, it is not possible for a person to ascertain the identity of the author by reasonable inquiry"
- Check before publishing on the internet, even if on a password protected website, whether or not the work in question is on the exemptions list.
- Seek permission from a student, before publishing on the internet, any image of a student's work.

Appendix 1

The Legal Framework

Copyright, Design and Patents Act 1988. Copyright is the right of a person to prevent others from copying or using his or her "work" without permission. It comes about when an individual expresses an idea in a tangible form. Works such as text, music, sound, film, theatre, poetry, dance, mime, architecture, databases and software all qualify for copyright protection, although not until they are recorded by some means, in writing or otherwise. The author of the work is usually the copyright owner, but if it was created during the course of employment it usually belongs to the employer. It is an infringement of copyright to copy all or a substantial part of anyone's work without obtaining the author(s) permission. Sometimes a licence associated with the work will allow a user to copy or use it for limited purposes (eg. Creative Commons Licence, Schools licence agreements). You must obtain permission from the copyright holder before you copy or use someone else's material, unless the terms of such a licence permit it. It is also illegal to adapt or use software without a licence or in ways prohibited by the terms of the software licence. **There have also been several additions and amendments to this law up to an including 2012, which are taken into account in the guidance above.**