Copyright Guide

Copyright and Teaching Materials

When preparing teaching materials you need to be aware of copyright issues. As soon as a work is created it is automatically protected by copyright without any need for registration: this applies to electronic as well as print material. The Internet makes copying very easy but, unless there is an explicit statement to say otherwise, material there is covered by copyright. Emailing material published on the Internet to colleagues or students or uploading it to SurreyLearn constitutes copying and unless you have permission you are infringing the rights of the copyright owner.

Permission may be granted in a number of ways.

UK copyright legislation

Under the ‘fair dealing’ exceptions in the Copyright, Designs and Patents Act 1988, with a sufficient acknowledgement you may make a single copy from material published in the UK for the purposes of private study or non-commercial research, or for criticism, review or quotation: see the web page on Copyright Information.

You may also make use of copyright material for teaching or examination purposes, for example with a sufficient acknowledgement you can incorporate it in PowerPoint presentations: the use must be proportionate and fair i.e. the extent should be justified by the context, illustrative not decorative and not for a commercial purpose. However if you wish to include copyright works in printed materials or distribute digital copies through a virtual learning environment such as SurreyLearn you must make sure you have the necessary permission.

Many copyright works may be copied under the terms of one of our educational licences but, under another exception in the 1988 Act, where a particular work is not covered by a licence an educational establishment may copy up to 5% in any 12-month period.

Licences

The University holds a number of licences and contracts which allow staff and students to copy protected works without having to seek individual copyright holders’ permission. You must observe the relevant terms and conditions.

Copyright Licensing Agency Licence

The University has a Higher Education Licence from CLA. This lets you make multiple copies of extracts from printed books and journals for teaching purposes. The following conditions apply:

- Copies should be made from a book or journal held in the Library or a departmental collection, or from a copyright fee paid copy of a chapter or article supplied by the British Library: ask your Faculty Engagement Librarian about this option.
- You may make a single copy for each student enrolled on the course.
- CLA recommends that you use their Check Permissions search tool to check coverage. UK: all books and journals unless specifically excluded by the copyright holder Other countries: see the International Territories section of the CLA website, http://www.he.cla.co.uk.
The limits on the extent to which any work may be copied are:

- one chapter of a book
- one article from a journal issue or set of conference proceedings
- one short story or poem of not more than 10 pages from an anthology
- one law case from a volume of judicial proceedings

or 5% of a given work, whichever is greater.

**Scanning from printed books and journals**

You may make scanned readings available for students on a course of study via your Talis Aspire reading list on SurreyLearn, or you may distribute them to the students on CD, memory stick or by email attachment.

First check whether the University has access to an electronic version. If so you should link to it via your reading list: for information about this see the web page [Linking to Online Articles](#).

If there is no electronic version available you may request that the reading be digitised via the Library’s centralised scanning service. The digitisation software automatically checks that the request is copyright compliant, adds the required Copyright Licensing Agency cover sheet and records the details for inclusion on the annual CLA return. CLA has the right to audit the University’s systems at any time so it is important that we comply with the terms and conditions of the licence.

For further information or help with Talis Aspire please contact your [Faculty Engagement Librarian](#); if you have any questions about the CLA Licence please contact the Licence Co-Ordinator, [Gill Dwyer](#), ext. 6234.

**Electronic works**

The University has licences with individual publishers regarding the use of electronic journals, books and databases. For information about how electronic journal articles can be re-used for teaching purposes under the licences held by the University Library, please see the web page [Linking to Online Articles](#).

**Newspapers**

The University holds a Higher Educational Licence from NLA media access, (formerly the Newspaper Licensing Agency), which allows you, for educational purposes, to make multiple photocopies of articles from any of the major UK national newspapers, plus some regional and foreign ones, subject to the following conditions:

- A maximum of 250 copies may be made of any one article from an issue of a newspaper
- All copies must be marked “NLA licensed copy. No further copies may be made except under licence”

Please note that although the licence allows for the making of digital copies, these must be deleted within 28 days after publication: this provision is intended primarily for the circulation of press cuttings.

For further details see the NLA media access website [http://www.nlamediaaccess.com/](http://www.nlamediaaccess.com/).

**TV and radio broadcasts, DVDs and videos**

The University has an ERA Licence from the Educational Recording Agency which permits off-air recording for educational purposes of radio and TV broadcasts, as well as cable output of ERA members: BBC, ITV, Channel 4 and E4, Channel 5, the Open University and others. For further information see the Educational Recording Agency website [http://www.era.org.uk/](http://www.era.org.uk/).

You can make and store digital recordings on the Box of Broadcasts National service (accessible with your University of Surrey user account details) [http://bob.surrey.ac.uk/bob_user_guide/index.html](http://bob.surrey.ac.uk/bob_user_guide/index.html): these
can be played in a lecture or distributed to students in the UK via SurreyLearn. For queries about BoB National contact the Department of Technology Enhanced Learning, email tel@surrey.ac.uk.

The ERA Licence does not cover the copying of commercially produced pre-recorded DVDs, videos, and CDs: these may be played in a lecture but not made available via SurreyLearn.

**Ordnance Survey maps**

The University subscribes to the online Digimap service, through which educational use may be made of Ordnance Survey digital mapping data: it may be distributed to students in printed form or online via a secure network like SurreyLearn. For further information see the Ordnance Survey website http://www.ordnancesurvey.co.uk/ and the Digimap terms of use http://edina.ac.uk/digimap/osterms.html.

**Music**

Pre-recorded music can be played in a lecture or seminar but if you want to copy it you must obtain the appropriate permission. Music copyright is both difficult and expensive to clear: the composer, lyricist, performers and makers of the sound recording all have rights in a work and all rights holders need to give permission for it to be used. However, there are ways to make legal use of pre-recorded music without the need to seek individual permissions.

The University has a Limited Online Music Licence from PRS for Music which authorises the adding of online music tracks to SurreyLearn for on-demand streaming. For further information see http://www.prsformusic.com/users/broadcastandonline/onlinemobile/MusicServices/LOML/Pages/LOML.aspx

There are also numerous websites which provide free and / or paid music online which have little or no rights restrictions. Check the terms and conditions to make sure you are allowed to use the material in the way you intend.


**Images**

An image can have more than one copyright owner. For instance a cartoon might be created by a number of artists and illustrators. Photographs of artistic works involve two separate copyrights: the artist's work and the photographer’s. It is often difficult to trace the copyright owner of photographs but in UK law such 'orphan works' are still under copyright. If you manage to contact the copyright owner and obtain permission you will usually need to negotiate separately for every further use of the work. However, there are ways to make legal use of images without the need to seek individual permissions.

Under the terms of the Copyright Licensing Agency HE Licence you may photocopy images in books or scan and add them to SurreyLearn within the licence’s restrictions.

There are also a number of specialist websites which offer copyright cleared images for educational purposes. You can usually – check the site’s terms and conditions – print and download these images and post them to access-restricted, password-protected websites but not to unrestricted sites on the open web. Here are some good starting points:


- Wikimedia has an extensive list of sources of copyright-free images, see http://meta.wikimedia.org/wiki/Free_image_resources.
Creative Commons

With the potential for creators to offer their works directly to the public on the Internet, use of Creative Commons' licences [http://creativecommons.org/] is growing. Via a Creative Commons notice creators specify the rights conveyed to others, such as the right to copy, distribute and adapt their work, provided attribution is given. You may make free use of appropriately licensed material: one example is the Jorum [http://www.jorum.ac.uk/] repository of learning and teaching resources.

Linking

If you wish to use copyright-protected material available on the Internet you can in many cases eliminate the need for permission by explicitly referencing the source and including in your presentation the relevant web link. Most sites allow students to download and print a copy for personal use.

However, you should bear in mind that there is a great deal of material on the web which has been posted illegally. You should check that the item to which you wish to link has been put there by the copyright holder or with the holder’s permission. If you link to works which infringe someone’s copyright, like pirated music files or video clips of films or TV programmes on YouTube, you might be liable for what is known as contributory copyright infringement. An alternative is to cite the original media without the use of any link.

Obtaining permission

With the permission of the copyright holder you can copy whatever is agreed and make as many copies as agreed. Look on the publisher’s website for information on rights / permissions / clearance: some websites offer online clearance. When seeking permission bear in mind the following:

- Allow plenty of time. It can be difficult to track down the right person and publishers can take several weeks to reply.
- Get it in writing and keep it for future reference.
- Be aware that the copyright owner may impose conditions and charge a fee.
- A lack of response cannot be taken as permission to go ahead.

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