

Copyright Reminder for Staff (2020/21)

Introduction

Copyright is a key part of University life and this remains so during the current **COVID-19** pandemic. Non-compliance can lead to loss of access to resources by all staff and students and financial/reputational damage to the University.

The [University Regulations](#) (6.13) set out the formal responsibilities of staff.

Copyright protects literary, dramatic, musical and artistic works as well as films, sound recordings and broadcasts. With most of our work, including teaching and learning, now being conducted **online** via **Zoom** or similar, note that copyright also covers meetings, presentations, lectures, webinars etc., held via such applications.

Copyright & the pandemic

1. Many online lectures, presentations and meetings are now **recorded**. Some of these involve **external** contributors. The University will normally own the copyright to the recordings. However, it should be noted that staff (internal and external) own '**Performance Rights**'.
2. All contributors will therefore need to **licence** the University to use their 'performance' both for teaching and any additional types of use. There are forms available which deal with this issue. Teaching staff who wish to pre-record learning materials are required to sign the new [Pre Recorded Audio & Video Consent Form](#) whilst staff who are making live recordings or recordings for purposes which fall outside of pre-recorded learning productions should use the [Master Video Recording Form](#).
3. U UK has negotiated temporary but more generous **extent limits** with respect to the **CLA licence** in the context of COVID-19. These last till the end of the current academic year (2020/21). Details can be found [here](#). Essentially 20% or two chapters can be copied from many print works in the CLA repertoire, instead of the normal 10% or one chapter. This also applies to scanning into digital form for placement in Myplace but all scans must continue to go through the [University Digitisation Service](#).
4. **Library e-resources** come with licensing terms & conditions. Unfortunately, these may vary and users should be aware of what they can or cannot do with a particular resource.
5. We have produced a new [LibGuide](#) for research students on **copyright and theses**. Please could you draw this to the attention of supervisors and researchers.

Copyright online

There have been a number of cases this year when it has been **alleged** that a member of University staff has infringed the copyright of a rightsholder. These tend to concern **images** found on the internet via Google searches. It is not unusual for rightsholders to claim up to £1k per image in compensation. This is particularly the case where an image has been posted on a publicly accessible website, including the personal sites of academic staff.

Remember there is **no blanket exception** for 'educational use' in UK law; however, there are specific **exceptions** that allow students and staff to copy a work (or extracts from it) without seeking the permission of the copyright owner, subject to certain conditions and limits. For example, **short quotations** from a work do not require permission. There are also exceptions for '**criticism & review**' and '**illustration for instruction**'. **Attribution** will always be necessary. For further information, see our [webpages](#).

Staff are making increasing use of **video resources** available online such as those hosted by YouTube, often citing them in **reading lists**. Please ensure as far as possible that you only refer students to **legitimate** videos (even where they are short extracts). These tend to be hosted on the **official channels** of organisations. There are many examples of videos that may have been uploaded illegally to video sharing platforms and it is possible rightsholders might go after those linking to them (known in legal jargon as 'secondary infringement'). You might also find that a link ceases to work because the material has been removed following a complaint.

Licences

The University has a range of licences in place to allow staff and students to reuse copyright protected work without having to obtain permission. These can cover textbooks, monographs & journals, newspapers, TV broadcasts and music.

Rightsholders may also use **Creative Commons** licences or bespoke **Terms & Conditions** which may make it possible to reuse content from websites etc. The key point is '**Always check before you copy**'!

Audits

We conduct sample internal audits of the teaching material held within Myplace to check for compliance with the relevant licences and copyright law. Where infringing material is found we work with the individual member of staff to resolve this. The overall audit results are reported to senior management and faculty staff.

Internal Audit include copyright in their checklist for departments. The University is subject to **external audit** by the CLA. The most recent such audit took place in November 2015.

Useful resources (see our [webpages](#))

- We have designed a leaflet to help staff gain an understanding of copyright.
- Why not try our online copyright training module including a short video and a quiz?
- Our webpages offer a range of information on copyright including using an exception, the types of licences available and information on ownership.
- **Our contact details:**
 - Email: ictlegalcompliance@strath.ac.uk
 - Telephone: 0141 548 3744/3216 (but note we are currently working from home most days)
 - Contacts: Ralph Weedon or Deborah Ferns
 - Address: Andersonian Library, Level 2, 101 St James Road, Glasgow G4 0NS