

COPYRIGHT POLICY

1 Mission

1.1 'Realising student potential and achieving excellence'.

2 Context

This policy is written in the context of the College Corporate Strategy 2013-2016 and with particular reference to the College **Use of unfair means policy/ procedure for both HE and FE** which give guidance for dealing with suspected instances of plagiarism, and the **eSafety Policy** which includes guidance on the use of images and video. Close reference should be made to the **IT Acceptable Use Policy** to ensure guidance on use of College IT facilities and services is followed.

The context of this policy supports the following:-

2.1 Safeguarding Statement

The College recognises its responsibilities and duties under the Working Together to Safeguard Children 2013 requirements, which defines safeguarding as:

- protecting children from maltreatment;
- preventing impairment of children's health or development;
- ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and
- taking action to enable all children to have the best outcomes.

2.2 H&S Statement

Doncaster College recognises its responsibilities and duties under the Health and Safety at Work Act 1974, to provide a healthy and safe working and learning environment so far as is reasonably practicable. This duty extends to cover employees, students, contractors, visitors and members of the public and covers all its related activities and undertakings.

2.3 Equality & Diversity Statement

Doncaster College strives to promote an ethos and image that positively reflects its commitment to advancing equality of opportunity and celebrating diversity. The College does not tolerate any prejudicial behavior by any member of its community and has a zero-tolerance policy to bullying, harassment and victimisation. Every step is taken to eliminate unlawful discrimination and foster good relations among all social groups. The College is committed to ensuring that it does not discriminate either directly or indirectly against individuals on the grounds of age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership.

3 Purpose

- 3.1 It is important to note that infringement of copyright by staff or students may expose the College and the individual to legal action and claims for substantial damages. This policy addresses the financial and reputational risks and potential consequences relating to copyright infringement.
- 3.2 Copyright is the legal right of the originator or owner to publish, perform, film or record literary, artistic or musical material, and to give permission to allow others to do use their work. [*Copyright is one aspect of Intellectual property which also covers patents, trademarks and any confidential knowledge which could jeopardise commercial operations*]
- 3.3 This policy will focus on the legitimate use of third party materials to create teaching and learning materials, and outline measures to ensure staff and students are aware of the rights of copyright owners' and the legislation to protect them.

Materials include:

- Literary works -books, journal articles, lyrics
- Dramatic works – plays, screenplays
- Written music

*This includes printed text, and also text accessed on-line via computers, tablets and mobile devices as defined in the **Copyright, Designs and Patents Act 1988 (as amended)**.*

- Artistic works – illustrations, paintings, photographs
 - Sound recordings – CDs, MP3
 - Film – DVD, video
- 3.4 Students and staff may also be creators/ authors of original work and need to be aware of their rights regarding ownership of their creative work.

4 Scope

- 4.1 The policy will set out the general framework relating to copyright compliance in the College, and the measures to take to ensure copyright owners' rights are not infringed.
- 4.2 Copyright law is mainly derived from the Copyright, Designs and Patents Act 1988 (as amended). This policy is intended to promote awareness and best practice, and to direct staff and students to sources of further information and support; in order that students and staff are aware of the importance of complying with legislation.

5 Responsibility

- 5.1 All staff and students have individual responsibility to ensure any copied materials comply with copyright legislation and **acknowledge their source**. This particularly

applies to images “cut and pasted” from the internet and used in displays, posters and presentations.

- 5.2 The multi-functional devices (MFDs) for printing and copying and available at various College locations are supported by Central Technical Services (CTS), who will ensure that copyright notices are displayed adjacent to all College MFDs.
- 5.3 The Head of Central Technical Services manages the appropriate use of College information technology as detailed in the Acceptable Use Policy. Software licenses are administered by CTS; all requests for purchasing or downloading software must be directed to CTS.
- 5.4 Staff working within the departments of eMedia, eLearning, Learning Resource Centres, Reprographics and Marketing will advise on copyright issues relating to any of their services requested or accessed by staff and students.
- 5.5 The Manager of Learning Resources will ensure that the CLA, ERA and NLA licenses listed in section 7 are current and relevant. Copyright guidance will be available and regularly updated by Librarians on the LRC webpages and online subject guides.
- 5.6 Teaching staff will ensure that all forms of teaching and learning materials provided for students are copyright compliant, whether they have been developed in College or utilised via a third party.
- 5.7 Teaching staff engaged in the delivery of course content about intellectual property and copyright will ensure that students are fully aware of the college copyright guidelines and relevant legislation.
- 5.8 Teaching staff will ensure that student work submitted for assessment is, as far as they can reasonably determine, copyright compliant. Where work is produced by students for external clients, students and staff should be especially vigilant and seek advice if they are in any doubt about copyright.
- 5.9 Project teams intending to develop, deploy or adapt next generation technologies and content should ensure that a copyright related strategy is in place from the inception of the project. The JISC funded Web2Rights Project www.web2rights.org.uk includes diagnostic tools and IP and legal issues workflows to support such projects.

6 Monitoring, Review and Dissemination

- 6.1 The Staff Development team will disseminate the Copyright Guidelines to new staff and promote copyright compliance during staff development events.
- 6.2 Content for a promotional campaign and training programme will be devised and rolled out to College staff to raise awareness of their and students’ responsibilities towards copyright compliance led by the Directorate of Quality and Learning Resources.
- 6.3 All College Managers with direct line management should ensure that their line reports adhere to copyright legislation, understand their individual responsibilities, and support any further staff development as required.

- 6.4 Good standards of academic writing will be developed at all curriculum levels by the early introduction to correct referencing and citation on relevant programmes of study. Use of plagiarism detection software will be utilised as an educational tool to encourage good practice and support consistency of referencing particularly in higher level programmes of study. Electronic submission of assignments through Turnitin software will enable plagiarism to be discouraged and monitored.
- 6.5 The Quality manager, Advanced Teaching Practitioners and individuals with responsibility for lesson observation will ensure that curriculum delivery adheres to copyright guidance and promotes student and staff compliance with legislation.
- 6.6 Staff should be aware that licensing agencies may undertake data collection exercises at any time to audit what is being physically copied or digitally hosted to ensure license compliance.
- 6.7 Changes and/or amendments to copyright legislation and/ or case law will be closely monitored and this policy amended with immediate effect. Annual reviews of the policy will ensure that the College remains fully committed to the principal of copyright protection for rights' holders.

7 Policy

- 7.1 Copyright infringement will be considered to have taken place if the whole or part of a work has been used without permission, and which is not considered to be an educationally relevant exception and/ or covered by a College held license.
- 7.2 Any instances of infringement of copyright or breaches of license agreements will be regarded as a serious offence. Occurrences will be dealt using the staff and student disciplinary policies as appropriate.
- 7.2 The College Learning Resource Centres will manage annual subscriptions through the following agencies to permit copying for educational purposes/ without profit, whilst complying with certain conditions:
 - Copyright Licensing Agency (CLA)
 - Educational Recording Agency (ERA)
 - Newspaper Licencing Agency (NLA)
- 7.3 PRS and/or PPL licenses to allow the use of published music and performance are required for public accessible areas, and for specific performances e.g. drama productions, student productions and events. It is the responsibility of the event organiser to ensure that the correct licences are obtained or already held by the College and retain evidence of compliance for audit purposes.
- 7.4 Complaints or notices of infringement of copyright will be promptly acknowledged, material taken down and/ or removed unless evidence of ownership is available and authorisation of use proven. The Quality Unit will coordinate and record all complaints, and direct investigation and responsibility for responses to the appropriate College department i.e. website content to the Marketing Department, curriculum material to the relevant Academic section.



Sources of further information

Intellectual Property Office	http://www.ipo.gov.uk/
British Copyright Council	http://www.britishcopyright.org/
Alliance for IP	http://www.allianceagainstiptheft.co.uk/
Content Map	http://www.thecontentmap.com/
Business Software Alliance	http://ww2.bsa.org/
Federation Against Software Theft	http://www.fastiis.org/
International Federation of Reproduction Rights Organisations	http://www.ifrro.org/
Federation Against Copyright Theft	http://www.fact-uk.org.uk/about/
The Reprographic Forum	http://www.reprographicforum.org.uk/

Collective Management Organisations

Authors Licensing and Collecting Society	http://www.alcs.co.uk/
Anti-Copying in Design	http://www.acid.uk.com/
Copyright Licensing Agency & microsites	http://www.cla.co.uk/
Design and Artists Copyright Society	http://www.dacs.org.uk/
PRS for Music	http://www.prsformusic.com/