

Copyright

WHC reserves the right to amend this policy at its discretion. The most up-to-date version can be downloaded from our website.



Copyright Policy

ELT manager	Director of Finance and Resources
Responsible officer	Estates and Facilities Manager
Date first approved by BoM	27 March 2020
First Review Date	March 2023
Equality impact assessment	Completed
Further information (where relevant)	

Reviewer	Date	Review Action/Impact

Copyright Policy

1. Purpose

Copyright exists to protect the rights of authors, and to prevent illegal copying of copyrighted works which deprives those authors of legitimate income. This policy lays out the measures West Highland College UHI takes to ensure that members of West Highland College UHI community do not violate the rights of authors, whilst at the same time ensuring that the College is fully exploiting its rights.

2. Scope

- 2.1 The policy sets out a general framework for the treatment of copyright issues within the college, and the measures the college takes to ensure that authors' rights are not infringed.
- 2.2 It is not a detailed manual of copyright regulations, nor does it lay out detailed rights and responsibilities.
- 2.3 It does not cover Intellectual Property Rights of College lecturers and staff, with regard to their published or curricular work.

3. Definitions

IPR - Intellectual Property Rights.

CLA - Copyright Licensing Agency.

ERA - Educational Recording Agency.

Author - creator of a work: text, audio, video, artistic, database or software.

Excluded Works - works where copying is not permitted under any circumstances.

Fair dealing - allowance for individual copy to be made for personal research or non-commercial use.

College Community - all staff and students currently employed or enrolled at the College.

Digitisation - the process of creating a digital copy of print material, which can then be distributed electronically, eg email, VLE etc.

4. Key Principles

- 4.1 Members of West Highland College UHI community are prohibited from using copyrighted works in any way that is not authorised by:
 - a Specific exemptions in the copyright law,
 - b Fair dealing guidelines, including those specifically granted to educators in classroom settings, or
 - c Licenses or written permission from the copyright owner.

Any individual who breaches these rules may be personally liable to prosecution.

- 4.2 The college has purchased various licences which allow for certain copying activities. The college holds the following licences:

Copyright Licensing Agency FE Trial Licence (CLA): The College pays an annual fee to cover multiple photocopying of printed books and journals for teaching purposes. The licence also allows the scanning of published material within clearly defined limits and with certain restrictions.

Educational Recording Agency (ERA): The College pays an annual sum to the ERA to cover any off air recording of terrestrial broadcasts for educational purposes.

Public Viewing Screening Licence (PVSL): This licence allows the college to display films/documentaries in public, outwith the normal curriculum, eg social events, student union.

- 4.3 The University of the Highland and Islands are responsible for the Higher Education element of the CLA licence. All HE staff complete Blackboard training on clearance and submission procedures.

<https://libguides.uhi.ac.uk/copyright>

- 4.4 West Highland College UHI remain responsible for the Further Education element of the CLA licence. Further Education staff can obtain advice/support from West Highland College UHI library staff.

5. Responsibilities

5.1 The College:

- is aware that copyright is a legal, as well as a moral, right and that copyright holders are entitled to fair protection and compensation for the work that they produce
- is also aware of the value of its own copyright material and will take necessary action to protect the intellectual property rights invested in it, or in its members, staff and students
- states that the responsibility for adhering to the requirements of the copyright licences and legislation rests wholly with the individual.
- will ensure that staff and students are made aware of their responsibilities regarding copyright, the neglect of which may result in disciplinary action
- will make provision for such advice and support as is necessary to ensure that all staff and students can operate effectively within the scope of the copyright licences and legislation.
- will ensure that any changes to copyright legislation or to the terms and conditions of the various educational copyright licences are communicated to staff and training provided if required

5.2 The individual (West Highland College UHI staff and students):

- has agreed to comply with this policy and any subsequent amendments that reflect changes in the legislation
- understands that infringement of copyright may expose the individual to legal action and claims for substantial damages.
- understands that infringement of copyright may have a negative impact on the reputation of West Highland College UHI.
- understands that no member of staff or student may reproduce copyright works other than to the extent permitted by law or by the appropriate licences held by the College or by written permission from the copyright owner and that failure to comply may result in disciplinary action
- understands that the individual member of staff or student is responsible for ensuring that the correct permissions have been obtained before reproducing any copyrighted work.

6. Support and Training

Due to the complex and ever changing nature of copyright legislation and the licences that the College subscribe to, staff and students should always seek advice and clarification before using any protected copyright works.

The Estates and Facilities Manager is the Licensing Co-ordinator at West Highland College UHI.

The Learning Resource Centre Officer can provide general guidance and support on a wide range of copyright issues.

CLA FE Trial Licence Staff Information

[Introduction to the FE Trial Licence](#)

[Notice for Display](#)

[Guide to Using Images](#)

[Making Digital Copies Checklist](#)

[Copyright True or False Video](#)

7. Review

Policy is to be reviewed every three years

8. Relevant Legislation

- 8.1 1988 Copyright, Designs and Patents Act
<http://www.legislation.gov.uk/ukpga/1988/48/contents>
- 8.2 Details of CLA licence for FE College in Scotland
<https://www.cla.co.uk/CLA-licence-for-further-education>
- 8.3 JISC Legal Information Service