

Copyright Policy

2023-24



Revision number:	2
Applicable from:	31 st March 2023
Approved by:	ELC
Date of approval:	31 st March 2023
Date of next review:	June 2025
Scope of policy (audience)	Staff
Policyholder:	Head of Help, Library & Performance Resources
Contact:	quality@leedsconservatoire.ac.uk
Alternative formats:	Audio, large font (on request)

Linked external codes/regulations

Copyright, Designs and Patents Act 1988 (as amended)
Music Publishers Association Code of Fair Practice 2016

Linked documents/references

Virtual Learning Environment Site Policy (Higher And Further Education)

Equality Impact Assessment information

E.g. Impact Assessment to be completed by July 2008

Policy statement

It is the policy of Leeds Conservatoire that copyright law should be obeyed by all staff and students. All staff and students should be guided in the details of the Copyright Act and associated agreements and licences. These guidelines will be made available on Space.

Background/vision (if applicable)

Leeds Conservatoire central function is the education of musicians. Graduates are likely to earn income through copyright works that they have produced. Therefore, it is essential that copyright law is both taught and adhered to, and that the legal use of copyrighted materials is modelled by all staff for the benefit of

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students. As well as ensuring that LC staff are not infringing the law, it is also puts LC in a morally strong position.

Policy

Introduction

The policy at Leeds Conservatoire is that all staff should obey copyright law. It is recognised that using copyright material is essential to learning, teaching and examination within a higher education environment, but this use needs to conform to the legal exceptions, licences and agreements that exist within law or that LC has subscribed to.

This policy will not attempt to detail all circumstances under which copyright material can be reproduced. Instead, guidelines aimed at LC staff will be placed on the VLE to help them make decisions about whether they can legally reproduce what they wish to use. A similar set of guidelines will also be made available for students.

Where a copyright situation is unclear, guidance should be sought from the Library Manager in the first instance.

The law

The Copyright, Designs and Patents Act 1988 (as amended) (CDPA) states the reproduction of copyright material is illegal, unless it is covered by an exception in the Act or by a separate licence, or unless an agreement has been made with the publisher. A number of the legal exceptions are listed within the Act for making physical or digital copies. These exceptions can and should be used at LC, but when reproducing items in any way staff should know under which exception they are copying.

Licences and agreements

LC subscribes to licences that provide blanket clearance for the use of certain types of copyright materials. Current licences are listed below and may vary from time to time. Where a licence exists, copying must be carried out under the terms of this licence, and not as an exception under the CDPA.

CLA Licence

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This allows class sets of extracts from copyright works to be made available electronically or in print, so long as certain conditions are met. Copying under this licence must be carried out by the library (electronic) or reprographics (print) in order for the reporting required by the CLA to be carried out. Items reproduced under this licence by other individuals will be in breach of the licence and therefore will constitute a breach of copyright. They will therefore be removed in accordance with takedown policy found in section 7 of the VLE site policy.

Educational Recording Agency (ERA) Licence

This licence allows the onsite recording and reuse of free-to-air broadcasts for educational purposes. Recordings made under this licence must be discussed with the AV Unit.

The Music Publishers Association Code of Fair Practice

This code provides a number of exceptions under which copies of printed music by certain publishers may be made, so long as certain conditions are met. If copying under this code, it is important to ensure the publisher of the work is listed on the MPA website.

Notices

Copyright information will be provided on the VLE for staff and students. Notices with simplified information and links to the VLE will be posted by photocopiers and scanners.

Risk assessment

There may be occasions when it is pragmatic for students or staff to take a risk-managed approach when reproducing copyright material. This should be done following best practice and care should be taken to minimise the impact of claims against the Conservatoire. Where this approach is considered it must be discussed with the Library Manager in the first instance. A thorough risk assessment will be done and a decision made accordingly.

Take down policy

Any online service administered or hosted by LC which could potentially contain third party material should have a robust take-down policy to respond quickly to reports of copyright infringement.

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Responsibilities
<p>All staff</p> <ul style="list-style-type: none"> • Adherence to UK law on copyright. • Taking personal responsibility for ensuring all reuse of copyright materials is done with correct permissions; seeking guidance from the library manager in case of doubt. • Passing materials to be reproduced under the CLA licence to the library (electronic copies) or reprographics (physical copies). <p>Library Manager</p> <ul style="list-style-type: none"> • Providing guidance for staff and students to be disseminated via the VLE. • Organising staff development to improve copyright literacy across the Conservatoire. • Providing guidance to individuals with copyright queries. <p>Heads of school/department</p> <ul style="list-style-type: none"> • Fostering a culture where copyright compliance is the norm.
Breach of policy (if applicable)
<p>Any occurrences of copyright infringement should be reported to the Library Manager, or Head of IT if it concerns the improper use of IT systems. If the copyrighted item has been posted on an online service, it should also be reported to the owner of that online service.</p> <p>Any staff member of the Conservatoire who breaches this policy may be held personally liable for their actions and could lead to action under the conservatoire's Disciplinary Policy and Procedure.</p> <p>Any breach of the policy by a student may be treated as misconduct and dealt with under the Student Conduct And Disciplinary Policy.</p>