

Copyright guide: blanket licences

Introduction

The JISC Legal team have prepared and published the following guidance (with some minor updates and amendments for Langside College) on what each of the blanket copyright licences are that an FE institution may hold. The original template guide can be accessed online at the following URL: <http://www.jisclegal.ac.uk/publications/blanketlicenceFEtemplate.htm>. This guide is aimed specifically at FE institutions and offers guidance on key points to consider in relation to blanket licences. The guide is intended to be helpful as well as offering a readily available point of reference, ensuring that you have up-to-date knowledge on the licences held by your institution.

A licence is a legal document that gives permission to do something. By virtue of the Copyright Designs and Patents Act 1988 copyright is transmissible and this permits the formation of licences granted by copyright owners. Licences may take many forms its terms are usually at the discretion of the parties to it depending on their needs. Copyright licences like other forms of contract are generally explicit and generally written.

Benefits of Blanket Licences

Blanket licences permit the licensee (in this case a FE institution) to use the works covered without infringing copyright provided that the use falls within the scope of the licence. Accordingly, members of staff at FE institutions should appreciate that the licences held by their college provides them with the opportunity to do certain things with copyright works so long as they remain within the scope of the licence terms and conditions. Further, blanket licences issued to institutions make it easy for them to gain permission to reproduce certain material for a single annual payment.

CLA (Copyright Licensing Agency) - currently held by Langside College

The CLA Blanket Photocopy Licence covers print based works, literary and artistic works and permits reprographic copying of paper to paper and paper to acetate of multiple copies for the benefit of you and your students. Further, the Licence permits the creation of digitised copies from the original source provided that the use is for educational purposes only. Digital copies may only be placed in a VLE and there are a number of restrictions on the work that can be scanned. It does not permit blanket scanning or commercial use. It is worth noting that the licence expands rights to make copies for disabled users. The following excerpt is quoted from the CLA website:

The trial licensing scheme for incorporated FE colleges in Scotland is effective annually and runs from August to July each year. Licence terms and conditions and fees are agreed in negotiations with the ASC. The current licence allows the following usage:

- ***scan extracts from books, journals and periodicals (Licensed Material)***
- ***retype extracts from Licensed Material onto a computer***
- ***store copies on individual PCs or a networked server***
- ***incorporate digital copies into presentation software (e.g. PowerPoint)***
- ***send copies by fax***
- ***email copies to Authorised Persons***
- ***use copies on a VLE / MLE / college intranet***
- ***receive Digital Copies supplied under other CLA licences"***

For more detailed guidance see links below for (1) the user guidelines for FE; (2) listings of excluded works (**NB** both these guidelines and listings of excluded works should be displayed at **all** photocopiers in the College) and (3) an explanatory leaflet on the FE Licence:

- (1) http://www.cla.co.uk/data/pdfs/fe/state_fe_user_guidelines.pdf
- (2) http://www.cla.co.uk/licences/excluded_works/excluded_categories_works
- (3) http://www.cla.co.uk/data/pdfs/fe/state_fe_license_explanatory_leaflet.pdf

For other information and guidance on the CLA licence please visit: http://www.cla.co.uk/Further_education_licences.php

DACS (Design and Artists Copyright Society) - NOT currently held by Langside College

Covers artistic works reproduced on slide for educational purposes. This licence permits in-house production of slides. Further details and guidance can be accessed at:

<http://www.dacs.org.uk/pdfs/Universities,%20Schools%20and%20Colle.pdf>

By agreement with the CLA the latter's licence also covers artistic works.

PRS for Music (Performing Rights Society) - NOT currently held by Langside College

The PRS for Music brand, adopted in 2009, is the alliance between the Performing Rights Society and the Mechanical Copyright Protection Society which was formed in 1997. It is one of the largest music copyright licensing and royalty societies in the world. This organisation exists to collect and pay royalties to their members when their music is exploited in one of a number of ways – when it is recorded onto any format and distributed to the public, performed or played in public, broadcast or made publicly available online. This licence is necessary to re-record sound recordings for educational purposes. Further details can be accessed here:

<http://www.prsformusic.com>

ERA (Educational Recording Agency) - currently held by Langside College

This covers recording of all UK terrestrial TV and Radio Broadcasts including Freeview. It does not cover satellite. All recordings must be clearly labelled for educational purpose only. Institutions may record copies of TV/Radio programmes from the educational establishment or from home. Content can be streamed provided it is not accessible outside the licensed institution. This licence does not permit copying of bought content and you cannot post it on the Web. It is important to note that ERA does allow the transfer of images from one medium to another which can include the college intranet and VLE provided that the use is for educational purposes. Further information on ERA can be accessed at:

http://www.era.org.uk/ERA_Licene.html

ERA Plus (Educational Recording Agency) - currently held by Langside College

The ERA Plus Licence goes a step beyond the original rights afforded by ERA and authorises licensed ERA Recordings to be accessed by you and your students online from outside the premises of the establishment. Further information on ERA Plus can be accessed

at: http://www.era.org.uk/ERA_plus.html

PPL (Phonographic Performance Licence) - currently held by Langside College

This licence allows the playing of recorded music or music videos in public in the UK. You will be infringing copyright unless you are appropriately licensed by PPL. The College holds this licence primarily to allow the playing of music in beauty therapy salons and drama classes. Further information on PPL can be accessed at:

<http://www.ppluk.com>

PVS (Public Screen Licence) - NOT currently held by Langside College

This licence permits educational establishments to show videos, DVDs etc to you and your students where the programme is out-with college activities. This right is limited to specific premises and for a group number specified. It does not permit showing to members of the public. Further guidance can be accessed at:

<http://www.filmbank.co.uk>

OUW (Open University Worldwide) - NOT currently held by Langside College

The Open University broadcasts are not covered by the ERA Licence therefore an Open University Licence must be held separately. This licence permits recordings for educational purposes. Open University programmes must be recorded in their entirety.

NLA (Newspaper Licensing Agency) - currently held by Langside College

Permits copy extracts from newspapers represented by NLA for management and teaching purposes. The existing licence does permit copying of photographs, images and advertisements contained within each article. The NLA digital licence (is a separate extension and carries additional costs) covers scanning, the hosting of articles on the intranet as well as PowerPoint projections, it does not allow placing on the Web. Further information can be accessed at:

<http://www.nla.co.uk>

OS (Ordnance Survey) - NOT currently held by Langside College

Permits licensed copying of maps for educational purposes. This also permits the use of digital mapping. Further details can be accessed at:

<http://www.ordnancesurvey.co.uk/oswebsite>

BSI (British Standards Institute) - NOT currently held by Langside College

British Standards can be copied from their published sources including, print, CD-ROM, microfilm and online only if you have a photocopying licence.

Further details can be accessed at:

<http://www.bsigroup.com>

OPSI (Office of Public Sector Information) - NOT currently held by Langside College

The licence covers the re-use of Crown copyright information, Parliamentary copyright information and Public Sector Information. Further information can be accessed at:

<http://www.opsi.gov.uk>

JISC Collections - several licences currently held by Langside College (CLIC)

JISC Collections offers four model licences which contain encouraging provisions for FE and HE establishments within the UK. The licences permit effective use of online material for educational purposes. For further details please refer to:

http://www.jisc-collections.ac.uk/model_licence