



**TyneCoastCollege**

## **COPYRIGHT POLICY**

This policy is available on-line at: [www.tynecoast.ac.uk](http://www.tynecoast.ac.uk)

- We will consider any request for this policy to be made available in an alternative format or language. Please note that the College may charge for this. Please contact: Director of IT
- We review our policies regularly to update them and to ensure that they are accessible and fair to all. We welcome suggestions for improving the accessibility or fairness of this policy.

<b>Approved by:</b>	<b>Version:</b>	<b>Issue Date:</b>	<b>Review Date:</b>	<b>Contact Person:</b>
<b>Exec Group</b>	<b>v.4</b>	<b>February 2025</b>	<b>February 2028</b>	<b>Director of IT</b>

**Review: 3 years**

**POLICY NUMBER 84**

# **COPYRIGHT POLICY**

## **1. Policy Statement**

The use of third party materials in the creation of teaching and learning materials is a daily occurrence in Further Education and has to be dealt with as quickly and legally as possible.

It is recognised that only the person who created the original work, or their designated agents, has the right to allow copies of the work to be made, issue copies to the public, rent or lend copies, perform, show or play the work to the public, communicate the work to the public or make an adaptation of the work.

The Copyright, Designs and Patents Act defines these rights in law, breach of the act is punishable by up to a £50,000 fine and a 10 year prison sentence.

## **2. Scope**

This Policy covers all use of third party materials on college premises, or used by employees of the college whilst carrying out their duties. This includes, but is not limited to: text, images, sound, music, moving images and broadcasts.

Computer software is outside of the scope of this policy and is discussed in detail in the Control of IT Software & Hardware Policy.

## **3. Legislation**

- Copyright Designs & Patents Act 1988

## **4. Responsibilities**

Everyone has a responsibility to give full and active support for the Policy by ensuring:

- 4.1. The Policy is known, understood and implemented
- 4.2. Behaviour not in accord with the Policy is challenged.

Within this general responsibility there are some specific responsibilities:

- 4.3. The Director of IT, for the effective implementation of the Policy.

## **5. Actions to Implement and Develop Policy**

- 5.1. All members of staff and students are required to abide by the license agreements and terms and conditions associated with any third party materials or works.
- 5.2. Where no specific agreement or licence exists it should be assumed that no right exists for the college to make, issue, show, perform, communicate or adapt the work in question.

### 5.3. Literary Works

5.3.1. Includes printed works, in all media, hardback, paperback, newspapers and electronic, regardless of platform by which it is distributed or viewed.

5.3.2. The college has in place agreements which allow:

- The copying, by any means, of up to 5%, or one chapter of text to make sufficient copies for each member of a class undertaking a course of study.
- A list of titles and websites cover by under this agreement can be found on the CLA website  
<http://permissions.cla.co.uk/titlesearch.html>
- Copying and scanning from a selected list of newspapers, allowing the creation of up to 250 copies of an article.

### 5.4. Broadcasts

5.4.1. Includes any works transmitted via a broadcast network, including Freeview, satellite and cable television, and radio.

5.4.2. The College has in place agreements which allow:

- Recording, storing and distribution of programmes broadcast by the BBC, ITV, Channel 4, Channel 5, all Freeview stations, National Geographic, Discovery Channel and Open University
- The use of “catch up” and on-demand services for the above broadcasters
- Publication of recordings of the above broadcasters via the VLE for access by registered students

5.4.3. All copies of recordings must be labelled to show: date of recording, name of broadcaster, programme title and the following statement “*This recording is to be used only for educational and non-commercial purposes under the terms of the ERA Licence*”

5.4.4. Recordings cannot be made available to learners outside of the UK.

### 5.5. Music

5.5.1. Includes the playing of all music within the college, including background music in offices, classrooms, and public spaces.

5.5.2. The performance of musical work for the purposes of instruction is permitted. This does not include any performance where members of the public, including parents, are present.

5.5.3. The college is licenced for the playing of background music in the following areas:

- Gymnasium
- Refectories
- Hairdressing Salons
- Learner Breakout Zones
- Offices & staffrooms

5.5.4. Specific licences are required for any performances where an entry fee is charged, the Director of IT should be contacted for advice prior to the performance being arranged.

5.5.5. The transfer of music from one media to another, including the VLE, is not allowed.

## 5.6. Images

5.6.1. Includes photographs, illustrations, graphics, cartoons, collage, drawings and plans.

5.6.2. The copying and use of images, including those obtained from the internet, should only be carried out with explicit permission of the copyright owner. This includes images located via search engines such as Google Images

5.6.3. Images included in literary works that are subject to agreements describe in section 5.3 can be copied within the constraints of those agreements.

## 5.7. Film

5.7.1. The showing of film for the purposes of instruction is permitted, provided that the instruction is for non-commercial purposes.

5.7.2. The showing of films for entertainment purposes is not permitted, this includes films broadcast by the BBC, ITV etc... and services such as Netflix, Amazon Prime etc...

## 5.8. Streaming Media Services

5.8.1. Includes YouTube, Netflix, Amazon Prime and any similar site

- 5.8.2. Materials hosted by streaming media services are subject to protection by copyright legislation.
- 5.8.3. No copies should be made of content from streaming media services without permission of the person who created the original works, this may or may not be the person who uploaded the content.
- 5.8.4. When linking, or directing learners, to videos hosted on streaming media services care should be taken to check that the content of the video does not infringe copyright. For example, showing a YouTube video in class which contains content that is in breach of copyright legislation would in itself be a breach of copyright legislation, regardless of who uploaded the video.
- 5.8.5. Care should be taken to thoroughly review any content from streaming media services before making use of it for education purposes to ensure it is appropriate.

## **6. Monitoring & Evaluation**

The Director of IT will monitor and evaluate the policy.

## **7. Related Policies**

- Acceptable Use of IT
- Control of IT Hardware & Software