

This policy is for the whole school including the Early Years Foundation Stage (EYFS).

What Is Copyright?

Copyright is the exclusive right granted by the law to an author or his/her assignee or exclusive licensee - a publisher for example - to control the use of his/her works and includes in particular the right to control the making of copies of the works and the publishing translation and adaptation of them. Apart from single copies of short extracts from complete works for your own research or private study purposes and a number of other minor exceptions, you are breaking the law under the **1988 Copyright, Design and Patents Act**, if you copy without permission anything protected by copyright - and copying means typing and writing out for duplication as well as scanning/photocopying. A claim to copyright protection can be identified in books by the symbol © or by words like “all rights reserved” but, even if you cannot find these, do not assume the material is copyright free. If the author is alive or died less than 70 years ago, then in all probability the material is protected by copyright.

To What Does Copyright Apply?

Copyright applies to all original works be they in electronic, written, drawn or printed form - text, computer programmes, photography, slides, illustrations, diagrams or music. It is designed to protect the livelihood of the creators and producers of literary, dramatic, artistic and musical works, and to encourage the dissemination of such works. Copyright lasts for 70 years from the death of the creator (or from the date of posthumous first publication) and applies to anything in printed or written form **whether or not it is offered for sale**. It applies also to recordings, whether on disc or cassette, to radio programmes and to the pictures and sound of a television broadcast. The adaptation of copyright printed material including that prepared for transmission by electronic means, requires permission. In addition, copyright applies to the typography of any book for a period of 25 years from publication, so you cannot photocopy without permission a modern edition of Shakespeare, even though Shakespeare’s works themselves are out of copyright. Only the owner of copyright or his/her duly authorised agent is empowered to grant permission where it is required by law.

Exceptions to the Rules

There are several exceptions. For example, you can make one copy of a small extract of work for your own research or private study. In a joint statement in 1965, the Publishers Association and the Society of Authors indicated that **single** copies of extracts in no circumstances exceeding 10% of whole works, as follows, would not normally be objected to by authors or by publishers: a passage of up to 4,000 words or a series of passages - none over 3,000 words - totalling up to 8,000 words. The limits for the purposes of criticism and review are very much shorter.

Brief works, such as poems, essays, short stories or other short works may not be copied in full without permission. You need permission to copy any musical item whether the words or the musical notation. Further guidance on this subject can be obtained from the Code of Air Practice published by the Music Publishers Association. In addition, the Act allows schools and other educational institutions to do the following without permission having to be sought:

- to make **single** copies of copyright material other than by a duplicating process (e.g. by writing on the blackboard)
- to put on free, in-school performances of copyright works with only pupils and staff in the audience
- to use copyright material in examination questions and answers (but not for publication beyond that)

- through the librarian of a non-profit library, to make **single** copies of a **single** article from a periodical, subject to the conditions stated at the foot of this policy.

NOTE: You cannot make multiple copies of any copyright work or any ‘substantial part’ of such work without seeking the permission of the copyright owner, and you are likely to have to pay a reasonable fee for this permission.

Any copyright material which could be used for teaching purposes is likely to constitute a ‘substantial part’ of a work and the copying of it is therefore illegal under the Copyright Act. The Government Green Paper (July 1981) underlines and supports this view of multiple copying, making it clear that it would not be permissible for a teacher to instruct a class to make individual copies. It states that the Government is prepared to consider limiting the exceptions, “so as to make it quite clear that they exclude the related production of multiple copies of the same materials”.

The School holds the following Licence:

Copyright Licensing AgenCy (CLA) Licence

The Copyright Licensing Agency licence permits the copying of extracts from books, journals and magazines published in the UK and 18 other countries, apart from those listed in the Excluded Categories and Excluded Works list. Photocopying from newspapers is excluded from the CLA licence. The list of publications is available from CLA and is accessible on their website: www.cla.co.uk. The website also contains useful information on the licence and general copyright issues.

Related policies and documents

This policy should be read in conjunction with the following policies and documents:

- Employee Handbook
- Staff Handbook
- Code of Conduct for Employees
- Health Safety Handbook
- Boarding Staff Handbook
- National Minimum Standards for Boarding Schools
- ISI Handbook for the Inspection of Schools, Regulatory Requirements
- Teachers’ Standards
- Departmental Handbook
- Complaints Policy (Parents)
- Complaints Policy (Pupils)

POLICY REVIEWED BY SCHOOL: May 2018

POLICY REVIEWED BY SCHOOL COUNCIL:

NEXT REVIEW: May 2019