

User Guidelines

CLA Education Licence

This educational establishment holds the CLA Education Licence, which permits staff and students to copy and re-use text and still images in the following ways, subject to the Licence Terms and Conditions:

- photocopying from printed books, journals and magazines;
- scanning and re-typing from printed books, journals and magazines to create Digital Copies;
- making Digital Copies from a wide range of Digital Material (such as e-books and certain website material);
- making multiple paper printouts of Digital Material;
- photocopying and scanning printouts of Digital Material.

These Guidelines are intended to help promote understanding of the Licence, and to answer some common questions. However, they do not provide a definitive interpretation of the Licence Terms and Conditions. In the event of any conflict between the two, the Licence Terms and Conditions prevail at all times.

About copyright in printed and digital publications

Books, journals and magazines, whether in printed or electronic form, and websites, are likely to be protected by more than one copyright. An author's, artist's or photographer's copyright lasts for 70 years from the end of the year of their death. The publisher's copyright in the typographical arrangement lasts for 25 years from the end of the year in which the edition was first published.

All copyrights must always be considered. If copyright in the publisher's typographical arrangement has expired (i.e. the edition is over 25 years old) the author's, artist's or photographer's copyright may still be in effect. Similarly, a new edition (employing a new typographical arrangement) of a literary work where the author's copyright has expired will still be protected by the 25-year publisher's copyright. Therefore, if a work is 'out of print' it does not necessarily follow that it is 'out of copyright'.

Indemnity

Provided the Education Licence Terms and Conditions have been fully complied with and adhered to, CLA will cover your establishment for claims of copyright infringement for copying that is covered by the Licence.

Types of copying

There are two types of copy that may be made under the Licence, as follows.

Paper Copies

- photocopies made from printed books, journals and magazines;
- copies made onto acetates;
- multiple printouts of Digital Material;
- photocopies of printouts of Digital Material.

Paper Copies may be made by staff and students of this establishment.

Digital Copies

- scans made from printed books, journals and magazines;
- re-typed extracts from printed books, journals and magazines;
- copies made from Digital Material (such as e-books and certain website material).

'Copying' in this context includes the downloading of content, and the copying and pasting of content, for the purposes of making available to multiple students and/or staff – for example, by uploading to a VLE, e-mailing, or displaying in the classroom / lecture theatre.

Digital Copies may be made by staff and students of this establishment who have authorised access to the establishment's Secure Network (students under the age of 16 may only make Digital Copies under the direction of staff).

Repertoire covered by the Licence

To check licence coverage quickly and easily we recommend using our Check Permissions online search tool which is quick and easy to use, and which is also available as an app. However, you might also find the following information helpful.

Photocopying (and copying onto acetates) and scanning to make Digital Copies

- all printed books, journals and magazines published in the United Kingdom are covered by the Licence, unless specifically excluded – please refer to the List of Excluded Categories and Works (this is published on our website and updated periodically).
- many printed books, journals and magazines published overseas are also covered via CLA's agreements with sister organisations overseas and/or via global mandates that CLA has signed with a number of publishers. For further details, please refer to the International section of our website.

Copying from Digital Material

- works published in the UK by Participating digital material publishers – Education Licence (specific exclusions may apply, but are clearly marked).
- works published overseas as listed in the 'Copying Digital Material' column on the International section of our website.
- you can choose whether to copy under the terms and conditions of the website itself (if they allow copying) or, where it is covered (use the Check Permissions online search tool), under the terms of your CLA Licence. For example, if the website's terms and conditions state that copying may only be done for personal use, you can choose to copy under the CLA Licence which permits copies to be circulated to staff and students.
- remember that, under the CLA Education Licence, just one set of terms and conditions applies to all the websites that are covered – so you don't need to check them each time.

How does the CLA Education Licence work with primary licence agreements (e.g. e-book subscriptions)?

- when your establishment purchases or subscribes to a digital product, that product will usually come with a licence agreement. This is your primary licence agreement. Primary licence agreements are issued by publishers and other providers (for example, e-book platforms). The CLA Education Licence is designed to complement primary licence agreements.
- in respect of Digital Material that has been bought or is subscribed to, a primary licence agreement with the publisher may permit the making of copies; but make sure you check the terms and conditions carefully as they vary from publisher to publisher.
- the CLA Education Licence can be used without reference to any primary licence agreement held by an educational establishment, provided the publisher is included on the List of Participating Digital Material Publishers and the material in question has not been specifically excluded. The terms and conditions of the CLA Licence apply across all Participating Digital Material Publishers, without the need to check the primary licence agreement terms and conditions (for example, how much may be copied).
- in some instances the CLA Education Licence Terms and Conditions will be more generous than those of a primary licence agreement, and in these cases, as detailed above, the CLA Licence can take precedence (for example, a primary licence agreement may permit copying of up to 2% of a work; but because your establishment has the CLA Education Licence, you are in fact permitted to copy more than that).
- in other instances, a primary licence agreement may be more generous than the CLA Education Licence; in cases such as these, the primary licence agreement is not overridden by the CLA Licence and your establishment can choose to copy under these more generous terms.

How much may be copied?

- one chapter of a book
- one article from a magazine or journal
- one short story or poem not exceeding 10 pages in length from an anthology

or

5% of the publication, if greater than the above: for example, if two chapters together constitute 5% of a total book, you may copy both under the Licence.

These copying amounts are intended to apply to both printed books, journals and magazines, and Digital Material. However, CLA recognises that some items of Digital Material (for example, some websites) are not organised in the same way as conventional printed items. In these cases, educational establishments are advised to exercise their best judgment to copy reasonable extracts, at all times bearing in mind the above extent limits. While any systematic copying of an entire website is clearly not permitted, CLA is mindful of the difficulties that can be involved in judging what constitutes a reasonable extract. CLA recognises the wish of educational establishments to be compliant, and any extracts identified that are thought to be excessive will be discussed on a personal basis with the establishment concerned.

How many copies may be made?

As many as are required for each particular purpose, but no more than the number needed to ensure that each student/pupil plus the teacher/lecturer, has access to a copy (in the case of staff meetings, no more than the number needed to ensure that each staff member present has access to a copy).

Source copies

All copies must be made:

- (a) in the case of printed books, journals and magazines, from the original edition owned by your establishment; or from a copyright fee paid copy (that your establishment has obtained from, for example, the British Library);
- (b) in the case of Digital Material, from an item for which your establishment has paid, or to which it holds a valid subscription.
- (c) you may re-use individual chapters from e-books (and individual articles from e-journals) supplied on a 'pay-per-view' basis, provided that they have been paid for by your establishment (and not, for example, by an individual member of staff).

Who can copies be distributed to?

Students and staff of this establishment, whether on the premises or not; Digital Copies must be distributed via a Secure Network. This means that students (and staff) using distributed, distance, electronic and blended learning modes of study and delivery are able to access Digital Copies made by this establishment and stored on its Secure Network. Remember that the CLA Education Licence does not permit the sharing of copies outside your establishment.

Can copies be made outside this establishment's premises?

Copies for this establishment's educational and internal purposes are covered wherever they are made. With scanning, for example, staff working at home may scan an article and then email this scanned copy to colleagues or students provided this is done via your establishment's Secure Network. However, remember that copies may only be made from published material (or copyright fee-paid copies of published material) owned by your establishment or, in the case of Digital Material owned by or subscribed to by your establishment.

How can Digital Copies be used?

Digital Copies can be:

- uploaded onto your VLE – for example, resources that students need to read for a particular class or that are intended to help them with coursework;
- used with Interactive Whiteboards and presentation software (e.g. displaying an image as part of a presentation in a lecture or class);
- e-mailed (or faxed) to those staff and students who are permitted to have access to the establishment's Secure Network.

Copies may not be stored on a server, or systematically indexed, with the intention of creating an electronic library or similar educational information resource of extracts of material covered by the Licence.

Digital Copies may not be manipulated or modified, except for changes necessary to enable users with a disability as a result of which such user is unable to read or access a work. Staff members are, however, allowed to mark copies to add emphasis for teaching or pedagogical purposes – for example, blanking out parts or highlighting selected text – provided that the author/creator and title of the original work are credited, that no derogatory treatment of the work is involved, and that it is made clear that such markings are not the author's/creator's.

Identifying and recording/reporting what is being copied

Each Digital Copy should be identified by recording the bibliographic details containing at least the identity of the author/artist and title of the publication. It is good practice to also record details of the publisher and ISBN/ISSN or URL (or website address). Where a Digital Copy does not already include source details, a cover sheet or page giving these details should be added. Staff producing resources using 'cut and paste' of more than one extract (of any type) should identify the source of each extract in the above manner at the foot of each page. It is good practice to do the same for Paper Copies.

Each year, CLA conducts data collection exercises in selected educational establishments. The overriding purpose of these exercises is to ensure accurate distribution of fees to those authors, artists and publishers whose works have been copied. If your establishment has been selected for a data collection exercises, we will be in touch at least three months in advance with details.

How long may copies be kept for?

Paper Copies should be destroyed at the end of any academic year within each Licence Year (in most cases, this will be 31 July), unless the copies are in a satisfactory condition and you are certain that all other terms and conditions of the Licence are being adhered to. (Remember in particular the limits on extents and on numbers of copies.) If Paper Copies are retained for a subsequent Licence Year, remember that they must be re-reported in any Data Collection Exercise.

Digital Copies should also be destroyed at the end of any academic year within each Licence Year (again, in most cases 31 July). However:

- (a) If a Digital Copy is required again for the following Licence Year, it may be retained provided it continues to be reported in any Data Collection Exercise;
- (b) If a Digital Copy is not required for the following Licence Year but is likely to be required subsequently, it may be retained so long as it is not made available beyond staff responsible for the management of digital learning resources or similar; in other words, it is archived until needed again. Once 're-activated', establishments must be sure to re-report it in any Data Collection Exercise. This facility should not be used as a default.

Persons with a visual impairment or disability

The CLA Education Licence does not remove or diminish any of the copyright exceptions extended to students and members of staff who have any kind of visual, cognitive or other disability recognised in the Equality Act 2010 to receive an accessible copy of a copyright protected work.

If a student or member of staff is visually impaired or otherwise disabled, resulting in them being unable to read or access copies made under the Licence, you may make and supply a copy of part or the whole of any work covered by the Licence in any alternative format. Examples of alternative formats would include digital or audio, large or small print. To do this, your establishment must have lawful possession of a copy of the respective work, which should not already be commercially available in an alternative, accessible format.

Categories of material that your CLA Licence does not cover

Printed music (including the words)

- this applies to works that consist entirely of printed music, and to music notation included within a book, journal, magazine, or item of Digital Material. For Schools, the Printed Music Licence is available from CLA; for Further Education establishments, no blanket licence is currently available – for details about obtaining permission to copy printed music, please refer to the Code of Fair Practice issued by the Music Publishers Association (MPA).

Newspapers

- NLA media access has appointed CLA as its exclusive agent for all UK education licensing. Schools can find out more about this on our [Schools website](#); Further Education establishments can find out more about this on our [FE website](#).

Maps and charts

- this applies to works that consist entirely of maps and/or charts, and to maps and/or charts included within books, journals, magazines and Digital Material;
- 'charts' in this context refers to charts that are similar to maps – for example, sea charts, weather charts and hydrographic charts (other types of charts – for example, pie charts and flow charts – are covered by the Licence);
- information about the licensed use of Ordnance Survey products can be found at <http://www.ordnancesurvey.co.uk/oswebsite/education-and-research/teaching-resources/copyright/index.html>

Workbooks, workcards or assignment sheets

- publications intended for a student to write on and for once-only use.

Copying not permitted under CLA Licence'

- any work in which the copyright holder has expressly stipulated that permission is not granted for copying under licences issued by CLA.

Mergers

If your establishment is to be involved in a merger, please let us know so that we can ensure continued coverage.

Further information

If your establishment requires any assistance to ensure that the Terms and Conditions of its CLA Licence are being adhered to, or if you require any further information, please contact us for either an informal discussion or a full review of your account. The appointed CLA Licence Co-ordinator at your establishment will receive a regular newsletter from the Education Team at CLA, however all are welcome to subscribe and we recommend in particular that anyone involved in copying under the Licence does so.

Please feel free to contact CLA as follows:

Contact	Title	E-mail	Telephone	Contact regarding
Education Team	Licensing and Data Administrator (Education)	education.customers@cla.co.uk	020 7400 3123	General enquiries, changes to contact details and invoicing issues

This document is intended for use as guidance only and not as a substitute for the CLA Licence Terms and Conditions themselves, which should be read in full. In the event of conflict between the two, the Licence shall prevail.

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