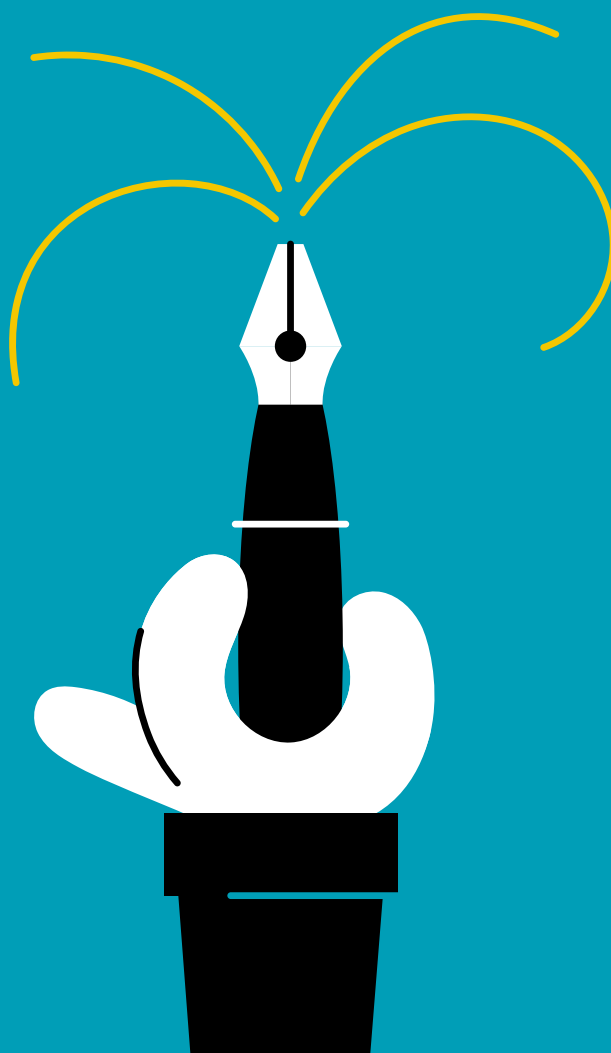




Authors'
Licensing and
Collecting
Society

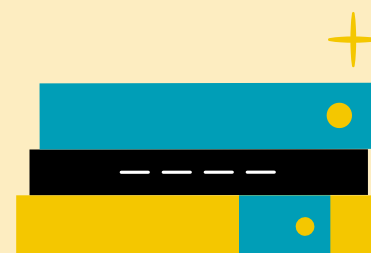
Understanding and communicating **about copyright**



A Guide for Teachers

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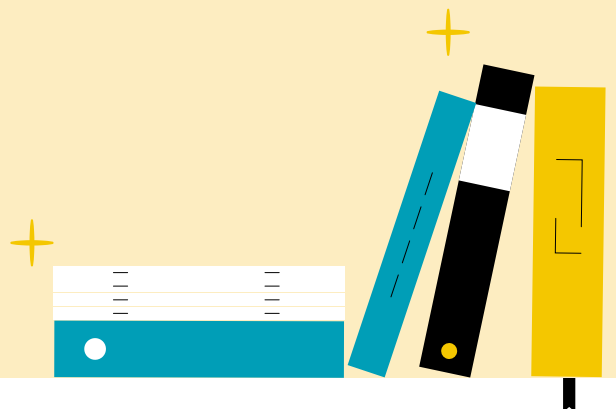


This booklet will support you to understand for yourself and to teach your students:

- what copyright is
- what works are covered by copyright
- why copyright is important to writers/creators
- why copyright should be important to people as creators themselves
- what teachers can/can't do with copyright works
- legitimate ways of accessing copyrighted work in the digital environment
- the difference between copyrighted theft and plagiarism
- an understanding of Creative Commons
- the importance of choice to creators in relation to Creative Commons.

You can use this booklet in a number of ways in your school:

- You could use it as a guide when delivering a staff meeting how to cover each of the areas above as your key focus points.
- At the end of the booklet is a list of Frequently Asked Questions which you could give staff as a handout.
- You can give all your staff a copy of this booklet – maybe as part of their induction to your school. Copies of this booklet are available from: **alcs.co.uk/copyright-education**
- You could put the link to the booklet on your staff intranet or learning platform so that everyone can easily check that what they are doing is within the law.



What is copyright? A brief introduction:

What you write belongs to you.

- When you look at something you've written and say, "These are my words," you are speaking the literal truth.
- Your written words are your property – unless you have agreed to write them on behalf of your employer.
- And those words remain yours wherever they appear – on some form of paper in the traditional way, or digitally via a computer, e-reader, mobile phone or any other electronic device.
- Copyright is one of the main types of intellectual property. It allows the copyright owner to control how their works are copied and/or distributed.
- Copyright arises automatically when a work that qualifies for protection is created. The work must be original, meaning it needs to originate with the author, who will have used some judgement or skill in its creation.
- You need to understand your rights and respect other people's. This booklet will help to show you how, and to communicate this effectively with your students, alongside the booklets for primary and secondary aged pupils.

Visit alcs.co.uk/copyright-basics-for-writers to watch a short animation about the importance of copyright.



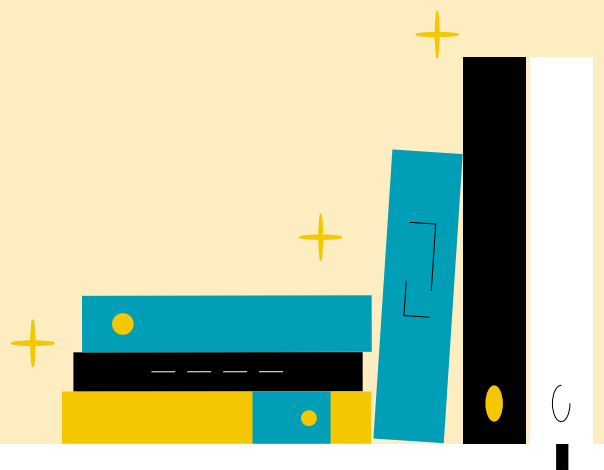
What different kinds of works are covered by copyright?

- Original literary works (such as novels, poems, tables, lists and computer programs).
- Original dramatic works (such as scripts for TV, film and theatre productions).
- Original musical works (that is, the musical notes themselves).
- Original artistic works.
- Sound recordings.
- Films.
- Broadcasts.
- Typographical arrangements (that is, the layout or actual appearance) of published editions.

Who owns the copyright?

Copyright is originally owned by the author of a work who can then decide to either transfer it to someone else, such as a publisher or film producer, or retain the copyright and just grant a licence to a publisher or producer.

However, work that is created by an employee during the course of their employment is owned by the employer unless they agree otherwise.



Why is copyright important to writers and creators?

If a copy of a writer's book is sold, the writer receives a percentage of the selling price, known as a royalty.

A small payment also goes to the author if a book is borrowed from a library. In the case of an ebook, the publisher has obtained permission from the writer to create a digital copy and to distribute it online for which authors are also paid royalties by their publishers.

But if, on the other hand, a single copy of a book is obtained and large sections of it are scanned onto a computer for class use, the writer doesn't get a fair reward for the multiple uses of the book.

It is theft to take and use something that belongs to someone else without permission. The principle applies to writing just as much it does to other forms of property.

Such theft is serious, particularly for professional authors, because it means that the writer of the words is getting no income from their use.

ALCS is the **Authors' Licensing and Collecting Society**. We support anyone who writes for money, ensuring that writers receive the money they are entitled to when someone copies or uses their work. We collect money from all over the world, then pay it to our members.

This short video from ALCS explains the importance of this service to the writers involved, and is excellent for sharing with staff and pupils:

<https://www.youtube.com/watch?v=5ilz5JG33Nk>



Why is it important to know about copyright in schools?

If you scan, photocopy or otherwise reproduce someone else's written work without permission (from the owner or under an exception to copyright), you are breaking the law. Disregard for copyright is a form of theft and we need to make all of our students aware of that.

When you buy a book (or magazine, or newspaper), you own the paper and the ink and restricted access to the content.

When you consult a copyright-protected webpage then you may read and browse and make use of the content according to the website's terms of use.

In none of these cases is the content yours to take and sell, or pass off as your own.

How does copyright work for our own work?

Copyright also works for resources you write yourself in schools.

Most teachers are, to some extent, also writers. Say, as a teacher, you write something – a model answer or a lesson plan perhaps. If another teacher in another school takes, reproduces and uses it in lessons without your permission or the benefit of a legal exception they are breaking the law. If you're happy for others to use your lesson plans, then of course, you're welcome to share them yourself. That's what copyright is there for, to protect your work and your right to choose what happens with it and whether you're remunerated for it.

Why do we need to teach our students about copyright?

Copyright law is there to protect everybody.

- We need to teach ourselves and our students to look after our own work and to respect other people's – just as you would their cars, homes or other material possessions.
- As teachers we need to act as role models by showing that respect to our students. It is part of good citizenship.
- We also need to make students aware of copyright law and how it works – just as we teach them that it is wrong to take money from someone else's purse.
- Teenagers need help with learning what copyright means and how it can be protected – their own, as well as that of the writers whose books and websites they are using.
- If copyright is not respected, there is no incentive to write. Where would schools and pupils be without time-honoured English literature texts such as ***The Woman in Black*** by Susan Hill or ***Goodnight Mr Tom*** by Michelle Magorian? And can you imagine teaching without the textbooks and other copyright-protected resources that writers have created for you?



How can we use works covered by copyright in schools?

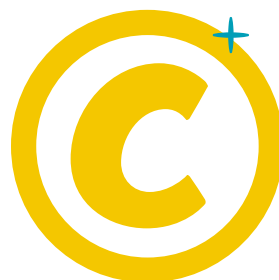
Books, magazines, journals and digital publications are protected by UK copyright law, and copyright law applies to everyone.

When a teacher wants to provide copies of content from a book to their students, unless legal exceptions apply, they will need permission to do so. This permission is granted by a Copyright Licensing Agency (CLA) licence. This licence covers the copying of text and still images from published titles and encompasses a school's ability to:

- make copies from digital and print books, magazines, journals and certain websites
- share copies with students and staff
- use copies with digital whiteboards, VLEs and presentation software programs
- copy up to one article, chapter, one short story or poem or 5% of the total, whichever is greater
- copy publications from the UK plus 38 international territories.

Your school first needs to own or subscribe to the thing you'd like to copy from. You can't use personal copies or free inspection copies that you get in the post. The licence covers most types of titles, but not workbooks that are books designed for individual students to write in and priced for class-set purchase.

To check whether the book or magazine you want to copy is covered, visit the CLA website (cla.co.uk) and type the title or author or ISBN/ISSN number of the publication into the **Check Permissions search tool** to get an instant result.



If the book you want to copy is covered by your licence:

You can copy an extract. This means up to 5% or one chapter or article, whichever is the greater.

You can only copy up to the limit above for any one class, lesson, or 'course of study', so if you need a different extract from the same book for another year group in your subject, or another teacher needs another chapter for a totally different subject, that's fine, you can make the copy.

For example, if you make a copy of a book chapter and give it to Year 4, you can make a copy of a different chapter from the same book to give it to Year 5.

Alternatively, a Geography teacher could make a copy from a book and a Biology teacher could copy another chapter from the same book.

You can make as many copies as you need so that all the relevant staff and students have a copy. The licence also covers you to display, print out, photocopy, scan, copy and paste, and retype extracts.

You can copy images in titles covered by the licence, and this includes some websites (just use the Check Permissions tool to see), but they must still be only for classroom use. If the website isn't covered, you'll have to check the terms and conditions of the website to see whether copying for educational use is permitted.

The licence lets you copy hassle-free for your students, but no public-facing copying is covered. You'd need the permission of the publisher to put anything on an online platform like TES.

If the book you want to copy is not covered by your licence:

You may need to buy enough books for all of your students or you can contact the publisher for permission. Lots of publishers have a dedicated page for this on their website. However, the vast majority of UK-published titles are covered by the licence.

How can I legitimately access copyrighted work in the digital environment?

The Education Platform is a new service from the Copyright Licensing Agency and is available to schools as a standard feature of the CLA licence.

It offers teachers access to digital versions of the books that their school owns, so that teachers can make digital copies to use for teaching.

You can search to find the book you want to make a copy from, then unlock the digital version by scanning the barcode on the physical copy the school owns. Once unlocked, you can input which class the copy is for and the page numbers that you want to print, or you can share a link to copy to the school VLE or direct to your students.

The Platform can help teachers make the most of books that their school owns by saving them time and reducing the amount of printing by the school. The Platform is available as part of the CLA licence, at no additional cost to licensed schools.

Visit the Education Platform at cla.co.uk/educationplatform to find out more.



What is copyright infringement? What school activities might be classed as infringement?

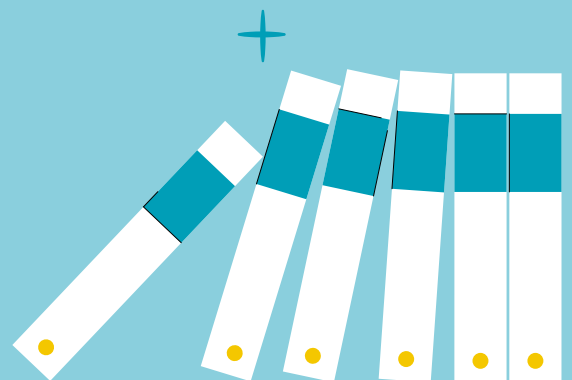
Primary copyright infringement occurs when a person carries out any of the following on a substantial part of a copyright-protected work without the consent or authorisation of the copyright owner:

- Copying it.
- Issuing copies of it to the public.
- Renting or lending it to the public.
- Performing or showing it to the public.
- Communicating it to the public.

This would include examples such as a video reading of a text online for a class on a public platform such as Vimeo or YouTube, or photocopying texts from the school library to give out to pupils to use at home.

If you want pupils to access digital readings of texts, please look for ones that are authorised by the author or their publisher. Many authors read aloud their texts or parts of their text online themselves and this is usually done by agreement with their publisher. You can share recordings like this with your school community, rather than making them yourself.

To share books responsibly, you can buy additional copies of texts to give out to pupils, or share details of key texts with parents for them to buy or borrow from a library.



What is the difference between copyright theft and plagiarism?

These two acts, while similar in some ways, are distinctly different.

1.

Plagiarism is claiming credit for a work or ideas you did not author, or using someone else's work without proper credit to the creator.

Plagiarism is an offence against the author. Plagiarism is a violation against ethical (and often, academic) norms, but not illegal.

Avoiding plagiarism is about properly attributing intellectual credit.

2.

Copyright infringement is the unauthorised or unlicensed use, sharing or copying of a creator's work without obtaining their permission.

Copyright infringement is an offence against the copyright holder. Copyright infringement is illegal.

Avoiding copyright infringement is about adhering to copyright rules, such as seeking permissions and licences, which in turn enables creators to receive fair remuneration for the use of their work.



What is Creative Commons?

Creative Commons (CC) is an internationally active, non-profit organisation that provides free licences for creators to use when making their work available to the public. These licences help the creator to give permission for others to use the work under certain conditions.

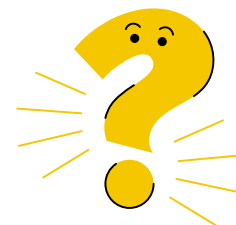
Every time a work is created, for example, when an article is written or a photograph taken, that work is automatically protected by copyright. Copyright protection prevents others from using the work in certain ways, such as copying the work or putting the work online.

The benefit for schools is that all CC licences allow works to be used for educational purposes. As a result, teachers and students can freely copy, share and sometimes modify a CC work without having to seek the permission of the creator.

CC licences are copyright licences and depend on the existence of copyright to work. CC licences are legal tools that creators and other rightsholders can use to offer certain usage rights to the public, while reserving other rights.

The importance of choice for creators in using CC licences:

- CC licences allow the creator of the work to select how they want others to use it. When a creator releases their work under a CC licence, members of the public know what they can and can't do with the work. This means that they only need to seek the creator's permission when they want to use the work in a way not permitted by the licence.
- Not all creators will want to make their work available via CC licences, particularly if they want the ability to be paid for the use of their works. Those who want to make their work available to the public for limited kinds of uses while preserving their copyright may want to consider using CC licences.



Frequently Asked Questions about copyright:

Are teachers allowed to copy parts of books for class use?

For anything other than very limited uses, the school needs to buy an annually renewable licence from the Copyright Licensing Agency (CLA). See **cla.co.uk**

There are different levels of licences to cover different sorts of reproduction of material. BUT – and it's a big 'but' – remember that no CLA licence gives you total freedom to reproduce. There are always specific rules set in the licence terms.

The system works quite fairly because a proportion of the licence fee is paid to authors through the Authors' Licensing and Collecting Society (ALCS).

Most schools will have a licence but it is a good idea to check and see if yours does. Until now, licences for state schools in England have usually been organised by local authorities. Since April 2013, this has been managed nationally to minimise administration and costs. Independent schools in England and Wales will have their licences arranged by the Independent Association of Prep Schools.

What about copying material from free-to-use websites – the ones that don't require you to pay to look at them? Surely I can copy from these without worrying?

It depends on the terms and conditions of the website which may well differ for individuals users and educational use. If your school has a CLA licence you're permitted to copy the equivalent of 5%, or one chapter of content of a website covered by the CLA licence scheme, which you can then include in online learning resources, display on the electronic whiteboard in your classroom and so on.

Authors are legally entitled to 'moral rights' in their digital work just as for printed words. That means that you should include the name of the author when you reproduce their writing in any format. Equally, you should not change what the author wrote unless your licence covers the creation of educational exercises from the writing – such as filling in missing words.

Do I have to put a © on it?

Putting a © symbol on a piece of content doesn't affect your rights. The copyright in the writing exists with or without a copyright sign. The purpose of the sign is simply to remind the reader or user that the work belongs to someone else.



Frequently Asked Questions about copyright:

Are we allowed to copy books in the library for use at home?

No. Teachers often look for ways to provide books for children who do not have access to these at home, but you cannot copy a book from your school library for pupils to use at home.

To share books responsibly, you can buy additional copies of texts to give out to pupils, or share details of key texts with parents for them to buy or borrow from a library. Each time a book is borrowed from a public library, a small payment also goes to the author and so, by doing this, you are actively supporting the creator of the text.

Are teachers allowed to read books aloud for their class on sites such as YouTube or Vimeo?

No. Many teachers want to do this as a way of bringing books and stories to children who may not have access to these in their home environment, but reading or sharing a whole text aloud on a public platform is infringement of copyright.

If you want pupils to access digital readings of texts, please look for ones that do not infringe copyright. Many authors read aloud their texts or parts of their text online. This is allowed as the copyright lies with them. To publicly record a reading, express permissions will need to be sought via the publisher. Lots of publishers have a dedicated page for this on their website.

Is watching a TV show in the classroom ok?

The Educational Recording Agency (ERA) Licence enables educational establishments to legally make recordings or copies of TV and radio programmes for educational use. The Licence covers the TV and radio output of ERA's Broadcaster Members. This means that staff and students at ERA licensed institutions can record or make copies of programmes for educational use without seeking individual permissions.

The ERA Licence provides a single point of clearance for all rights necessary for educational establishments at all levels of education to create and use resources obtained from broadcast materials, whether on television or radio.

Almost all educational establishments in the UK are covered by the ERA Licence. All schools in England are now covered by an agreement between ERA and the Department for Education. Schools' licences are paid for centrally and renewed in April each year.

Find out more:

Authors' Licensing & Collecting Society (ALCS)
alcs.co.uk

Copyright Licensing Agency (CLA)
cla.co.uk

Creative Commons
creativecommons.org

UK Intellectual Property Office
gov.uk/government/organisations/intellectual-property-office

BBC
bbc.co.uk/copyrightaware

Get It Right from a Genuine Site
getitrightfromagenuinesite.org

Educational Recording Agency (ERA)
era.org.uk