

Aberystwyth and Bangor Universities Policy on Using Third Party Copyright Material

Policy Owner:	<i>University Copyright Officer</i>
Approving Body:	<i>Library and Archives Task Group</i>
Date Approved:	<i>15/03/2016 [minute 217. [b]]</i>
Effective Date:	<i>15/03/2016</i>
Date of Equality Impact Assessment:	<i>01/03/2016</i>
Date of Next Review:	<i>March 2019</i>

1. Purpose of the Policy

1.1. The purpose of this policy is to ensure that Aberystwyth and Bangor Universities (hereafter “The University”), its staff, students and other users of its facilities comply with the legislation concerning copyright when utilising third party copyright material for teaching and learning, research and for other business relating to the University.

2. Scope/Applicability of this Policy

2.1. What it includes

This policy is solely concerned with issues relating to the use of third party material. This policy applies to staff and students of the University and any other persons using University resources for copying or reproducing in any form. (e.g. photocopying, scanning, digital reproducing).

This policy takes an overview of copyright laws and covers all printed, electronic and digital copyright material used within the scope of University activity. For the avoidance of doubt, this material includes, but is not limited to, text, images, databases, graphic designs, logos, sound recordings, films, broadcasts, computer programs (software) and electronic material stored on local and remote drives and on internet sites.

2.2. What it does not include

The policy does not cover the University’s ownership of copyright in materials created by individual members of staff and students. For queries about the copyright in staff and students’ own work, please see the Joint Intellectual Property Rights policy at:

<https://www.aber.ac.uk/en/hr/policy-and-procedure/au-and-bu/intellectual-property/>

3. Responsibilities

3.1. General

It is the responsibility of Institute Directors, Deans, Heads of School, Heads of Departments, Directors of Teaching and Learning and Directors of Support Services to ensure implementation of this Policy and any associated guidelines as they may be issued from time to time.

3.2. Aberystwyth University

Aberystwyth University has a Copyright Manager who is responsible for providing appropriate advice, training and awareness to its staff and students. The Copyright Manager has the responsibility for escalating any serious risk or resource issues to the Pro Vice Chancellor, Chief Operating Officer.

3.3. Bangor University

At Bangor University the role of Head of Academic Support includes acting as Copyright Officer and Copyright Licencing Agency (CLA) Coordinator. This role is responsible for providing appropriate advice, training and awareness working closely with the Library Copyright Group. The Copyright Officer will also act as the point of escalation any risks to the Copyright Steering Group. Any serious risk will then be escalated by the Director of Libraries and Archives to the Pro Vice-Chancellor Teaching and Learning.

3.4. Members of the University

It is the responsibility of individual members of staff, others working on behalf of the University or students to make legitimate use of third party material in an appropriate manner. The exclusive rights of copyright holders should not be infringed.

4. Detailed Policy

4.1. General

The University respects and observes the principle of copyright protection for all works created by third parties and requires all staff and students to do likewise. The University endeavours at all times to comply with UK copyright legislation (the Copyright, Designs and Patents Act 1988 and associated regulations) and equivalent legislation in other jurisdictions in which the University operates and to adhere to the terms of copyright licences.

Infringements of copyright legislation or licences by any individual may result in legal action against the individual or the University. The University regards infringement of copyright as a very serious matter and may take disciplinary action where this occurs.

4.2. Permissions

The exclusive rights of copyright holders must not be infringed. These exclusive rights are:

- To copy the work
- To distribute copies to others
- To perform, show or play the work in public
- To communicate it to the public
- To make an adaptation or to do any of the above in relation to an adaptation

Before copying or otherwise using material authored by others, the individual must determine whether that material is subject to copyright by considering whether the intended use is either:

- Lawful under statutory exception;
- Permitted by “fair dealing” or other law, or
- Permitted by licence

If none of the above apply, the individual must obtain permission from the copyright holder. This permission should be retained by the individual who requested it until such time as use of the copyrighted material is no longer required. If the copyrighted material is transferred to an archive, the permission documentation must be transferred also.

4.3. Guidelines and Implementation

Aberystwyth University provides detailed guidance on copyright law and the institutional licences to which it is a signatory. Details can be found here:

<https://www.aber.ac.uk/en/infocompliance/copyright/>

Staff and students are expected to familiarise themselves with such guidance and to apply it in all their dealings with copyright works.

Bangor University provides copyright information for staff and students at:

<http://www.bangor.ac.uk/library/copyright/copyright-staff.php.en>

<http://www.bangor.ac.uk/library/copyright/copyright-students.php.en>

All staff and students are expected to familiarise themselves with the copyright information and guidance on the web pages and to apply it in all their dealings with copyright works.

The University will place copyright notices adjacent to all relevant equipment that may be used for reproducing copyrighted materials.

If staff or students of the University are in doubt about their proposed reproduction or other re-use of third-party copyright works, they may contact the following members of staff :

Aberystwyth University - University Copyright Manager, Hugh Owen Library
Bangor University – Head of Academic Support, Main Library

4.4. Compliance and Penalties

In addition to the remedies provided under law to copyright holders (which may be against the infringer and or the university):

- Any misconduct or breach relating to this policy by any University employee may lead to disciplinary action under the appropriate University procedures.
- Policy violations by students will be dealt with as cases of academic misconduct and standard disciplinary procedures will apply.

4.5. Approval and Policy Revision

This policy will be overseen by the Copyright Manager at Aberystwyth University and the Copyright Officer at Bangor University who are authorised to implement minor revisions, corrections and clarifications to this policy. Substantive revisions which affect the intention and aspiration of the policy will be subject to review and approval by the University's Executive.

5. Relevant Legislation, Codes of Practice etc.

5.1. Copyright, Designs and Patents Act 1988

6. Related Policies and Procedures (Subject to further revision and local considerations)

- Joint Aber/Bangor IPR Policy
- Acceptable use of IT facilities policy (with regards to software usage and sourcing)
- Publishing Policy
- Student Rules and Regulations

7. Contact Details

7.1. If you require further advice on this policy, please contact:

University Copyright Manager
Information Services
Hugh Owen Library
Penglais
Aberystwyth
Ceredigion
SY23 3DZ

Tel: 01970 628592

Email: infocompliance@aber.ac.uk

University Copyright Officer
Library and Archives Service
College Road
Bangor
Gwynedd
LL57 2DG

Tel: 01248 382981

Email: copyright@bangor.ac.uk

8. Review

8.1. This policy will be reviewed every three years jointly with Aberystwyth and Bangor University stakeholders, or earlier if there is a change in relevant legislation or other factors that may necessitate a review.

9. Equality Impact Assessment

9.1. The University is committed to embedding its Equality Action Plan into its policies, procedures and practices. This policy has been equality impact assessed in accordance with the Equality Action Plan.