

# Copyright in e-Lesson resources: a guide to teachers using web-based learning materials

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This document is in plain, ordinary language. That means it is only meant for guidance. It is not the full picture, because it has to be in the legal language for that. If it *is* in legal language, ordinary teachers find it hard to understand. So make sure there is a person familiar with copyright in your school to check any point of confusion.

Respect for copyright is vital for learning growth. It is the cornerstone of a creative society and the means by which individuals are acknowledged and paid for their work.

Though the system has many oddities (and is hard to enforce on the Internet) the interdependency between educators, pupils and content-providers is worth preserving. Creators contribute to the scholarship of this country and if they are not fairly rewarded education will be intellectually the poorer.

The law seeks to give fair solutions to all parties.

## **A. Web-specific issues**

- Quite a lot of material has been put on the web without the permission of the copyright owners. You should therefore be cautious about using any material on the web, although if the site is hosted by someone you trust, it is probably reasonable to assume that the material has been put on the site with permission.
- In using lesson plans or educational materials from the web, always look for, and read, the copyright notices on the site and make sure you abide by them. The notices will probably allow teachers and educators to use content for non-profit educational purposes only.
- If there is no copyright notice, and it is a site hosted by someone you trust, you can probably assume it is OK to download exercises or lessons for use in your own school or college. You should not assume that a commercial use will permit use, though, and it is always safer not to exceed the uses in section B below. The safest option is to email the owner of the site and ask. Generally, permission will be granted for educational uses.
- Encourage students to be wary of illegal sites, look for copyright notices and ask for permission – they will understand the principles of copyright better if they are involved in it. Encourage them to put only their own material or material for which they have permission on their own sites and to include copyright notices of their own.

- The copyright of the lesson plans probably belongs to the educational authority which employs the teacher who posted them up. This is not, however, clear cut. Where a teacher has created lesson plans and a website in personal time, not associated with the lessons they teach, the copyright may belong to the teacher. Individuals should check their contracts of employment.
- Hyperlinking has some grey areas of uncertainty. It is almost always acceptable to link to a site's front page. But links to inside pages or links to a page or image on the linked site that appears to the reader to be part of your page are best not done without permission. It's best to open up another browser window for linked sites or include a notice telling viewers they are leaving your site. Other educational sites are, however, mostly eager to establish mutual linking. See <http://www.cla.co.uk/copyrightvillage/internet.html>
- If you know or suspect that a site linked to yours includes material that is illegal in any way, such as it is defamatory or infringes copyright, you should break the link immediately, otherwise you could be liable too. You always need to think carefully about what you link to. See <http://www.twobirds.com/library/internet/disc.htm>
- Make sure you keep adequate records of where material has come from, how you have used it and so on in case you are ever challenged by copyright owners and have to show that you have tried to be compliant. <http://www.bodley.ox.ac.uk/scoping/appi.html>
- Software code is also copyrighted as literary works, so students should not 'borrow' JavaScript or other interactive coding from other sites. There are plenty of free resources where owners have made their code freely available. See <http://www.cgi-resources.com>
- The laws of copyright apply to the Internet exactly as they do to print. For links to many other useful sites and copyright and IP FAQ, see the government-backed home of UK Intellectual Property on the Internet <http://www.intellectual-property.gov.uk>

## B. General – permitted use of copyright materials

- A teacher can write up a poem or piece of writing on a blackboard or whiteboard or an overhead projector. The students can make their own versions of these copies by writing, painting, typing and so on. But you *can't* photocopy, scan, digitise or copy onto acetate transparencies or any other way of using a reprographic process to copy from the printed source.
- You can use material without permission for setting examination questions.
- You can use Crown Copyright National Curriculum literacy and numeracy materials without permission. More information is at <http://www.hmso.gov.uk/guides.htm>
- Teachers can produce drama in school with pupils and teachers in the audience. But as soon as parents are invited in, it becomes a performance and the school may have to get permission.

- Where there is no licence available, teachers can copy broadcast material but copying is now mostly covered by licences so teachers need a licence from The Educational Recording Agency to record or video material off-air to use for educational purposes.  
<<http://www.era.org.uk>>
- Teachers (or pupils) can usually make single photocopies of short extracts (e.g. *single* paper copies of one article from a journal or a reasonable portion of a book (not more than 5%) or a literary, dramatic, musical or artistic work or a database, for research or private study. But, where multiple copies are to be made, or even where more than one student in a class wants to make the same photocopy because the teacher has suggested this, the school should have a blanket licence for photocopying *any* published material from the Copyright Licensing Agency and should observe the conditions that apply.  
<<http://www.cla.co.uk>>
- A short extract of a work could be used with acknowledgement for the purposes of criticism and review. See further explanation of permitted uses at:  
<[http://www.intellectual-property.gov.uk/std/faq/copyright/ex\\_education.htm](http://www.intellectual-property.gov.uk/std/faq/copyright/ex_education.htm)>

See also <<http://www.licensing-copyright.org>> and the licensing agencies in part C.

## C. Agencies for clearing copyright

### Text

The Copyright Licensing Agency (CLA) licenses the photocopying of extracts from books, journals and magazines.

CLA Ltd, 90 Tottenham Court Road, London W1P 0LP

tel: 020 7631 5555

<<http://www.cla.co.uk>>

The Newspaper Licensing Agency Ltd (NLA) licenses photocopying from *some* newspapers

NLA, Tunbridge Wells TN1 1NL United Kingdom

tel: 01892 525273

<<http://www.nla.co.uk>>

Christian Copyright Licensing (Europe) Ltd (CCLI) licenses the reproduction of hymns and songs used in school assemblies. CCLI can license reproduction of lyrics and music by hand, type, computer storage, photocopying, acetate usage, and can permit arrangements of the music (where no published version exists).

CCLI, Chantry House, 22 Upperton Road, Eastbourne BN21 1BF

tel: 01323 417711

<<http://www.ccli.co.uk>>

### Broadcasting and TV

The Educational Recording Agency (ERA) licenses educational establishments to record radio and television broadcast and cable programmes for educational purposes.

ERA Ltd, New Premier House, 150 Southampton Row, London WC1B 5AL

tel: 020 7837 3222

<<http://www.era.org.uk>>

The Open University Worldwide licenses recording of Open University programmes.  
The Open University, PO Box 200, Milton Keynes MK7 6YZ  
tel: 01908 653231  
<<http://www.ouw.co.uk>>

## **Music**

Phonographic Performance Ltd represents the UK record industry, licensing the use of sound recordings (CDs, tapes, discs etc.) on behalf of record companies and performers.

PPL, 1 Upper James Street, London W1R 3GH  
tel: 020 7534 1155  
<<http://www.ppluk.com>>

The Performing Rights Society (PRS) is an association of composers and publishers of music. It licenses the extra-curricular use of copyright music on school premises, including PTA events and use by hirers.

PRS, 29/33 Berners St, London W1P 4AA  
tel: 020 7580 5544  
<<http://www.prs.co.uk>>

The Music Publishers' Association (MPA). A licence must be obtained from the relevant publisher to photocopy sheet music or to perform a musical.

MPA, 3rd Floor, Strandgate, 18/20 York Buildings, London, WC2N 6JU  
tel: 020 7839 7779  
<<http://www.mpaonline.org.uk>>

## **Artistic Works**

The Design and Artists Copyright Society Limited (DACS) is the copyright and collecting society for visual artists in the UK. You need a licence for showing slides and copying pictures (some print copying usages are part of the CLA licence).

Parchment House, 13 Northburgh Street, London, EC1V 0AH  
tel: 020 7336 8811  
<<http://www.dacs.co.uk>>

## **Acknowledgements**

Sources for this document are the publications and websites of the organisations quoted, plus:

the British Computer Society and NAACE joint publication 'Promoting Responsible Use of the Internet in Schools' (BCS, 1999).

A briefing paper on Copyright and the Internet for Schools prepared by Taylor Vintners Solicitors (undated)

For more information on copyright, go to:

<<http://www.intellectual-property.gov.uk>>

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