

Copyright Policy

1. Introduction

Copyright is an intellectual property right designed to allow the author/creator of a work to control its use. The University of Reading recognises the value of original works and is committed to fostering an environment which encourages creativity and in which third party material is used fairly and lawfully. As such, the University endeavours at all times to comply with UK copyright legislation (the Copyright, Designs and Patents Act 1988 and associated regulations and re-enactments) and to adhere to the terms and conditions 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 considers breach of copyright to be a serious offence and may take disciplinary action where this occurs.

2. Scope of Policy

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

This Policy is solely concerned with issues relating to the use of third party material. It does not cover the University's ownership of copyright in materials created by individual members of staff and students; this is covered in detail by the University's [Code of Practice on Intellectual Property, Commercial Exploitation and Financial Benefits](#). The Code of Practice clarifies the University's position regarding the copyright ownership and the rights of staff and students in materials created by them.

This Policy does not specifically cover software or the use made of the University Network by members of staff and students when dealing with copyrighted materials. This is covered in detail by the [Rules for the Use of University Computers and Data Networks](#), which contains sections on copyright infringement and acceptable use.

Members of staff, students and others working for or on behalf of the University are required to follow and observe this Policy and its associated Guidelines (see section 4.2) and should seek advice from the Copyright and Compliance Officer if unsure whether use or copying of material is lawful.

This Policy forms part of the University's [Information Framework](#) and operates as part of the [Information Management Policy](#).

3. Role of the University

The University of Reading has a Copyright and Compliance Officer who is responsible for providing suitable advice, training and awareness to its staff and students. Copyright matters are reported to the Information Strategy Committee (ISC) or similar body via the Copyright and Compliance Advisory Group. The Chair of the ISC (or similar body) has the responsibility to escalate any serious risk or resource issues to the Vice-Chancellor. The ISC (or similar body), on behalf of the Senior Management Board and Council, will monitor and promote the Policy and its associated Guidelines.

This Policy has been developed on behalf of the ISC (or similar body) and has been endorsed by the University. The Policy and Guidelines may be updated from time to time and when significant changes occur in copyright law.

4. Responsibilities of Members of the University Community

4.1 Implementation

It is the responsibility of Heads of School and Directorate to ensure implementation of this Policy and its associated Guidelines.

4.2 Copyright Guidelines

The Guidelines explain in more detail how copyrighted material can be used in the context of the University and determine the rules which apply to different types of media. The Guidelines are available from the IMPS website (www.reading.ac.uk/imps).

4.3 Copyright Clearance

It is the responsibility of individual members of staff, students or others working on behalf of the University to make legitimate use of third party material. This involves ensuring that permission has been granted so as not to infringe any of the exclusive rights of the copyright holder. These exclusive rights are:

- (a) to copy the work;
- (b) to issue copies of the work to the public;
- (c) to rent or lend the work to the public;
- (d) to perform, show or play the work in public;
- (e) to communicate the work to the public;
- (f) to make an adaptation of the work or do any of the above in relation to an adaptation

Before copying or otherwise using materials authored by others, each individual must determine whether materials are subject to copyright. If so, the contemplated use must be:

- (a) Permitted by licence; or
- (b) Lawful under either –
 - i. Statutory exception;
 - ii. Fair Dealing;
 - iii. Other law.

The individual must obtain permission from the copyright holder if the contemplated use is neither provided for under fair dealing, statutory exception nor otherwise lawful. The University holds several licences which permit the lawful use of some copyrighted material. See the Guidelines for further details.

When permission from a copyright holder is obtained, it should be retained by the individual who requested it until such a time as the use of the copyrighted material is no longer required. If the copyrighted material is transferred to an archive, the permission documentation must be transferred with the item.

4.4 Legal Compliance and Policy Violations

Infringing uses of copyrighted works are subject to penalties including fines and imprisonment under civil and criminal law. Any member of staff who breaches this Policy may be held personally liable for their actions. Deliberate Policy violations by students will be dealt with as cases of academic misconduct and standard disciplinary procedures will apply. All compliance cases involving non-intentional breaches of the Policy will receive the support of the University as outlined below.

5. Handling of Infringement Claims

5.1 Defence

5.1.1 Staff

If members of staff of the University are accused of copyright infringement in the normal course of their employment, they should contact the Copyright and Compliance Officer in the first instance. The Copyright and Compliance Officer will investigate the claim and assist in the negotiation process, providing advice and support. It should be noted however that ignorance is no defence under copyright law. The University may not be able to offer assistance should allegations of copyright infringement refer to instances which fall outside of the scope of the University's normal course of business.

5.1.2 Students

The [Rules for the Use of University Computers and Data Networks](#) provide guidance on how copyright infringement claims are handled with regard to students' activities via the University network. If students are accused of copyright infringement they should contact their Tutor or Supervisor for academic-related instances or the Students' Union for instances of copyright infringement arising from relevant extra-curricular activities. Cases may be referred to the Copyright and Compliance Officer who will offer advice and assistance.

5.2 Copyright Notices

The University will place copyright guidelines adjacent to all relevant equipment that may be used for reproducing copyrighted materials. General guidance on copyright, regulations and licences is coordinated by the IMPS office and the Library. Guidance specific to the acceptable use of University IT facilities, including the University network, is co-ordinated by IT Services.

*Ratified by ISC June 2007,
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