

COPYRIGHT POLICY

Introduction

1. The University respects and observes the principle of copyright protection for all works created by third parties and requires its staff and students to do likewise. 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 to adhere to the terms of copyright licences.
2. Infringements of copyright legislation or licences by any individual may result in legal action against the individual or the institution. The University regards infringement of copyright as a very serious matter and may take disciplinary action where this occurs.

Scope

3. 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, password protected systems (such as Blackboard and Koha), and on internet sites.
4. This policy is solely concerned with issues relating to the use of third-party material.
5. This policy does not cover the University's ownership of copyright in materials created by individual employees and students. Copyright in faculty members own work is covered by the contract of employment.
6. This policy does not cover use of University computers, data networks, e-mail or the Internet (internal or external websites). For queries about this see the Acceptable Use Policy.

Responsibilities

7. Copyright monitoring and adherence is the responsibility of the Library Service and specifically the Digital Services Librarian. As such Copyright policy is approved by Academic Board.

General Principles/Policy Statements

8. 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. The exclusive rights of copyright holders should not be infringed. These exclusive rights are:
 - a) to copy the work
 - b) to distribute copies to others
 - c) to perform, show or play the work in public
 - d) to communicate it to the public
 - e) to make an adaptation or to do any of the above in relation to an adaptation.
9. 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:
 - a) lawful under statutory exception, “fair dealing” or other law, or
 - b) permitted by licence.
10. If neither of the above applies, 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.
11. Particular care should be taken when using certain types of third party copyrighted material in recorded lectures and other online teaching and learning activities, as it may not be legal to include these in recordings or make them available online (even on Blackboard).

Implementation

12. The University provides detailed guidance on copyright and the institutional licences to which it is a signatory on the Library portal. Employees and students are expected to familiarise themselves with such guidance and to apply it in all their dealings with copyright works.
13. The University will place copyright notices adjacent to all relevant equipment that may be used for reproducing copyrighted materials.
14. If employees or students of the University are in any doubt about their proposed reproduction or use of third-party copyright works, they may contact librarian@richmond.ac.uk for further guidance and assistance.

15. Any misconduct or breach relating to this policy by University employee may lead to disciplinary action under the appropriate procedures laid out in the Employee Handbook.
16. Policy violations by students will be dealt under the Student Code of Conduct.

Legal Framework

17. UK Works are subject to UK copyright legislation (the Copyright, Designs and Patents Act 1988 and associated regulations) and to the terms of copyright licences issued by the CLA, NLA and ERA.
18. Foreign Works: in general, the same principles of copyright under the domestic law of the UK apply to a work, whether the work originated in the UK or elsewhere. Under the Berne Convention for the Protection of Literary and Artistic Works, many countries have agreed to give copyright protection to works from most other countries of the world and thus you should apply UK copyright law to most works, regardless of their country of origin.

VERSION MANAGEMENT

Responsible Department: Library Service			
Approving Body: Academic Board			
Version no.	Key Changes	Date of Approval	Date of Effect
1	First Draft	29 August 2018	29 August 2018
2	Updates to Legislation, licences and links	August 2020	August 2020
3	Removed header and hyperlinks	20 October 2022	20 October 2022
4	Rewritten to improve clarity and compliance	15 December 2023	01 September 2024
		Restricted Access? <i>Tick as appropriate:</i> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	