

Annex A

Copyright Licensing

This fact sheet provides information for maintained schools, academies and local authorities on copyright licensing in schools for 2016-17. Since 2015-16 the Department has managed the copyright licences for all state maintained schools in England that cover:

- print and digital copyright content in books, journals and magazines (Copyright Licensing Agency; CLA);
- printed music (Schools Printed Music Licence; SPML);
- copyright content in newspapers and magazines (the Newspaper Licensing Agency media access (NLA) licence);
- recording and use of copies of radio and television programmes, including from a number of catch-up services (the Educational Recording Agency (ERA) licence);
- the showing of films (the Public Video Screening Licence (PVSL) and Motion Picture Licensing Company (MPLC) licences);
- payments for musical performances of covered work (Performing Right Society for Music (PRS));
- playing recorded music (Phonographic Performance Ltd. (PPL));
- rights to make CDs and DVDs containing copyright music (the Mechanical Copyright Protection Society (MCPS); and
- hymns and other Christian music (Christian Copyright Licensing International (CCLI)).

Please see below for further information.

Information for Schools

What does this mean for schools?

The Department believes that by purchasing these licences schools will be covered for almost all their copyright requirements. There are other copyright licences that may be relevant in very specific cases and schools still need to ensure they are covered for any relevant activity. For these ten licences the Department will pay a single sum to each of the Copyright Management Organisations (CMOs) which will cover all primary and secondary schools in England, including academies; all special schools and Pupil Referral Units, and all LA maintained Nursery schools. Post-16 academies are not included as they are not technically 'schools' and will need to make separate arrangements, as will 6th form colleges. Independent fee paying schools are not licensed in the same way and may wish to seek advice direct from the contacts listed at the end of this briefing.

The licences covered by the central arrangements are:

1 **The Copyright Licensing Agency licence.** This gives you the right to:

- Photocopy books, magazines and journals published in the UK and 30 other countries giving your school access to a wide choice of published information
- Make digital copies by scanning or re-typing for distribution to pupils, parents, teachers or governors, from titles published in the UK and USA plus a growing number of other countries
- Make copies of content from digital material including CD ROMs, electronic workbooks, online journals and included websites
- Use copies with digital whiteboards, VLEs and presentation software programs
- Copy photographs, illustrations, charts or diagrams where they are included in an article or an extract

2 **The School Printed Music licence.** This covers the copying and distribution of a school's sheet music to school members for curricular uses and for those extracurricular activities that are not Collective Worship.

The licence permits schools to legally make copies of sheet music by any of the following means:

1. Photocopying
2. Scanning
3. Score-writing software programs
4. Notation by hand
5. Posting on a school VLE

The licence also allows the adaption of the musical work so that it can be performed by any instrumental and vocal arrangements that your school wishes to use.

3 **The Newspaper Licensing Agency Schools licence.** This permits the copying of content from national, regional and local newspapers and certain news websites.

4 **The Educational Recording Agency licence.** This allows educational establishments to record radio and television broadcasts received in the UK and to access copies of such recordings on agreed terms. Teaching staff can also access and download material on a number of on demand catch-up services including BBC iPlayer, 4OD, Five On Demand and ITV Player. The recordings can then be retained, stored and copied for educational purposes at the licensed establishment. It also allows an educational establishment to enable students to access licensed recordings and clips from them when they are working off site and connected to the school's site.

5 The Public Video Screening licence. This is issued by Filmbank Distributors Limited who represent all of the six major Hollywood studios in the education sector, (Warner Bros. Sony Pictures, Disney, 20th Century Fox, Universal, Paramount Pictures) and many other leading Hollywood, Bollywood and Independent film studios and distributors including MGM, Lionsgate, Miramax and Entertainment Film. The PVSL is required where schools screen films from studios participating in the PVSL scheme on their premises for entertainment purposes. Under the PVSL scheme schools are able to screen films on DVDs that have been purchased or borrowed from legitimate UK outlets during the term of the licence. The PVSL does not cover screenings for commercial or fundraising purposes, i.e. where a charge is made either directly or indirectly (e.g. selling tickets to screenings). In these circumstances please contact Filmbank directly via info@filmbank.co.uk who can provide you with a licence for this type of screening.

6 The Motion Picture Licensing Company licence. The MPLC licence is similar to the PVSL in that it allows for the non-educational screening of films on the premises of an educational establishment. MPLC represents over 400+ film and TV producers and distributors from major Hollywood studios to independent and foreign producers. Examples of the studios whose work is licensed by MPLC are National Geographic; the Discovery Channel; and the studios that own the rights to Bob the Builder and Angelina Ballerina. The MPLC licence does not cover: commercially advertising the film title outside of the school; making a charge to view the film ; using DVDs or downloads that are not a legal copy of the film or outdoor screenings. If a school does wish to commercially advertise and/or make a charge to view a film, then they should apply for a separate Single Screening MPLC Movie Licence. For further information please visit: <http://www.themplc.co.uk/page/film-club-1>

7 The Performing Right Society licence. The PRS licence covers performances of copyright music (including any associated words) which is controlled by The Performing Right Society Limited (PRS for Music) or by any of the societies in other countries with which PRS for Music is affiliated.

8 The Phonographic Performance licence. The PPL licence is a collective licence authorising a school to play in public, or broadcast, all of its members' recorded music or music videos in the UK. Collective licences can also cover the copying of recorded music and music videos for certain purposes. Typical uses in a school would be: discos/end of term parties; telephone system music on hold; playing a record / radio / tape / CD / digital music player; school fetes (where music is being played) and Dance/Aerobics classes for students and staff only. The two licences are required by every school.

9 The Mechanical Copyright Protection Society licence. The MCPS 'Limited manufacture' licence covers the use of music in DVDs and CDs produced by the school and sold to parents, e.g. by the PTA, to raise funds for the school. The licence provides the right for all schools to make and sell up to 1,000 copies a year of DVDs or CDs containing music.

10 The Christian Copyright Licensing International licence. CCLI administers two licences. The Collective Worship Copyright Licence (CWCL) permits schools to type song words into a computer and store them for later use, e.g. to create a song words database for use with their song projection software; to create service sheets and hand-outs for pupils and staff; to create OHP acetates; and to audio/video record music from services for those unable to attend, or as

a keepsake. The Collective Worship Music Reproduction Licence (CWMRL) is supplementary to the CWCL. It permits schools to photocopy the words and music of hymns and worship songs directly from music publications and also to make customised arrangements of music for pupils using transposing instruments (typically wind and brass instruments).

These licences are required either by all or by the vast majority of schools and there will be no way for schools to ‘opt out’ of the licences.

Am I Covered for Images used on my Website?

Although the copyright licences offer a high degree of protection it remains the responsibility of the school, as the licence holder, to ensure that they are covered. This is particularly so in the case of images used on websites, where the school might find itself having to pay a fee if it has used an image not covered by a copyright licence. If a compliance service contacts you regarding breached copyright, you need to a) ensure the company is legitimately acting on behalf of the copyright owner and b) reach an agreement with them. This could be as simple as agreeing to remove the image or paying a reasonable amount for it, or both.

The best starting point is that no image is copyright free - this may include photos, drawings, graphical images, clipart, etc.. For images in popular software, or some image libraries (sometimes through payment of subscription) the software owner waives any copyright restrictions, otherwise you may be able to get written permission of the copyright owner.

The CLA have a tool to check whether you can copy from a particular publication under the terms of your CLA licence. This can be found at: <http://permissions.cla.co.uk/titlesearch.html>.

Can I use YouTube under the ERA Licence?

Materials directly accessed from YouTube are not supported by the ERA Licence. The Terms and Conditions of YouTube refer to ‘personal use only’ and do not address the non-commercial educational use of ERA Repertoire that is permitted under the ERA Licence when sourced as otherwise permitted by the ERA Licence.

Users do need to look at the terms and conditions which YouTube apply to their services. The Terms are published on YouTube websites. An example can be found here:
<https://www.youtube.com/t/terms>

If the short films that the school is interested in using have previously been shown on television and could have been recorded off-air at the time of transmission (since the ERA Licence launched in 1989) it may be that an “ERA Recording” of the films can be accessed if the school can access one of the exchanges on which the recordings are stored and labelled as ERA Recordings for curricular use, using services such as ClickView.

For further information about this, please contact ERA direct at era@era.org.uk

Who is the licensee?

The agreements between the DfE and the CMOs simply covers the administration of the licences. Each education establishment is a Licensee and as such responsible for ensuring that the terms and conditions of the licenses are adhered to by their staff.

Where is my licence?

If you require a copy of your licence, please contact the individual copyright management organisations below.

Information about what the licences cover

What is the SPML and what content is covered?

<http://schools.cla.co.uk/your-cla-schools-licence/schools-printed-music-licence/>

What is the CLA Licence and what content is covered?

<http://schools.cla.co.uk/your-cla-schools-licence/what-can-be-copied/>

What is the NLA Licence and what content is covered?

<http://schools.cla.co.uk/about-your-licences/nla-schools-licence/nla-licence-documents/>

What is the ERA Licence and what content is covered?

General information about the ERA Licence is at: www.era.org.uk

What is the PVSL and what content is covered?

For more information on the PVSL see www.filmbank.co.uk/pvsleducation

For a list of studios participating in the PVSL scheme go to:

<http://www.filmbank.co.uk/pvslstudios>

What is the MPLC licence and what content is covered?

<http://www.themplc.co.uk/page/channel-overview-schools>

What is the PRS licence and what content is covered?

<http://www.prssformusic.com/SiteCollectionDocuments/PPS%20Leaflets/Schools%20leaflet.pdf>

What is the PPL licence and what content is covered?

<http://www.copyrightandschools.org/>

What is the MCPS licence and what content is covered?

<http://www.prssformusic.com/Pages/Rights.aspx>

What is the CCLI licence and what content is covered?

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

Does the DfE cover all copyright licences for the sector?

The DfE has agreements with the above CMOs that cover their licences. Other licences may be required by your school for use of other content. More information can be found at:

<http://www.copyrightandschools.org/>

Contacts

Who should I contact?

- Terms and Conditions, rights and repertoire of the CLA, SPML or NLA Licence
<http://schools.cla.co.uk/get-in-touch/contact-the-schools-team-at-cla/>
- Terms and Conditions, rights and repertoire of the ERA licence www.era.org.uk
- Terms and Conditions, rights and repertoire of the PVSL
www.filmbank.co.uk/pvslterms.

For information on the PVSL, contact T: **01494 836 231** or email pvsl@cefm.co.uk. The licence terms and conditions for the PVSL can be found at:

<http://www.filmbank.co.uk/images/80989/pvsl%20terms%20&%20conditions%20feb%202013.pdf>. By screening films from copyright owners licensed under the PVSL scheme, each school, agrees to be bound by and comply with these terms and conditions.

- Terms and Conditions, rights and repertoire of the MPLC
<http://www.themplc.co.uk/page/contact-the-mplc>
- Terms and Conditions of the PPL licence can be found at: <http://www.ppluk.com/I-Play-Music/Businesses/Why-do-I-need-a-licence/>
- Terms and Conditions of the PRS licence can be found at:
<http://www.prssformusic.com/users/businessesandliveevents/generaltermsandconditions/Pages/default.aspx>
- Terms and Conditions of the MCPS Limited Manufacture licence can be found at:
<http://www.prssformusic.com/SiteCollectionDocuments/LM%20TandC.pdf>
- Terms and Conditions of the CCLI licence can be found at:
<http://schools.ccli.co.uk/pdfs/schools/terms/SchoolLicenceTermsUK.pdf>
- Independent fee paying school licensed through the Independent Association of Prep Schools can obtain advice at <https://www.iaps.org.uk/about/copyright-and-schools>