



Digital Copyright Policy

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Digital Copyright Guidance

School Vision

It is generally accepted and recognised that the traditional legal and compliance areas of copyright are increasingly out of step with the rapid changing adoption and use of technology by society in the 21st Century.

Technologies are now freely available which allow easy copying, use, replication and publishing to a global audience at the touch of a button. Today's learners are growing up in a world where technology is ubiquitous and sharing is common place. The advent of social media, smartphones with cameras and easy access to the internet are enabling this sharing to take place.

Recent changes to the music industry exemplify the way in which this ease of copying sharing and distribution has revolutionized and challenged the traditional ways in which people have composed, sold and distributed music.

This technology rich environment has encouraged and unlocked tremendous creativity from both learners and educators. However, it is important that concerns about the legality and moral rights of the copyright holder are considered when embedding digital media into teaching and learning. It is worth remembering that when learners create their own media they should be afforded the same respect and rights.

Loxdale Primary School support three realistic approaches to copyright compliance:

1. Dealing with the "here and now": informing and making staff, learners and their families aware of the benefits and also the potential dangers of using and repurposing material not originated by them.
2. Building learning opportunities to develop learners as compliant and responsible individuals both legally and morally when using material not originated by themselves. Educators should, at all times model these principles of good practice.
3. Enabling learners and school staff to make use of licenced and copyright works where possible

Management of Digital Copyright

It is the responsibility of all staff to model good practise with regard to digital copyright. Non copyright enabled material should not be used without the express permission of the copyright holder.



Procedures

Staff should make themselves aware of the FAQ's below which will guide them to most common uses of copyright material. Questions not covered should be directed to the E-learning co-ordinator who will seek a solution from the LA or other appropriate body.

Should staff be aware of any breach of digital copyright then this should be reported to the e-learning co-ordinator who shall log the incident and take the appropriate course of action.

The staff Acceptable Use Policy includes statements related to digital copyright and staff are expected to sign an AUP and comply with its content. Regular briefing sessions are held by the local authority to update staff on digital copyright regulations. We will ensure that a member of staff attends these briefings and is able to feedback to the staff as a whole.

Risks and acceptable Behaviours FAQ's

Digital copyright is a complex area for schools to consider as such a number of FAQ's can be found below which will cover most common eventualities.

I have a CD or downloaded a track. Can I use this in my lesson?

LEGAL: Yes you can. Your use is covered under the terms of "curricular use in an educational establishment"

MORAL: This must not be a "Bootleg Copy" and should have been legally acquired

SOCIAL: This should not be shared

TECHNOLOGICAL: Additional copies should not be made

I have a DVD , can I show it to the children?

LEGAL: Yes you can. Your use is covered under the terms of "curricular use in an educational establishment" If you intend to use this in wet playtimes (lunchtimes) or end of term (e.g. Christmas) events then this is licenced under the terms of a Public Video Screening Licence (PVSL) agreement

<http://www.cefm.co.uk/screeninglicence.aspx>

MORAL: This must not be a "Bootleg Copy" and should have been legally acquired

SOCIAL: This should not be shared

TECHNOLOGICAL: Additional copies should not be made or posted on to video sharing sites

I have a video clip/podcast which I have downloaded free from the Internet. Can I use it for my teaching?

LEGAL: Yes you can, providing you have met the terms of the site from which you have downloaded the content. Please be aware that downloading videos from U-Tube is in violation of their terms and conditions of use.

MORAL: Whilst this is a widespread practice, please be aware that the person(s) who have uploaded the video to the site may not have had the rights to do so.

SOCIAL: Just because this is commonplace outside school this does not make this accepted good practice.



TECHNOLOGICAL: Please check to see if the school has already obtained a copy of the video clip/podcast from a copyright enabled source e.g. Espresso, Clipbank, Pathé
Can we use a piece of music (such as chart music) for a dance routine?

LEGAL: Yes you can. Under the terms of both the Music Licencing Authorities (PPL and PRS) curriculum use is permitted.

If you intend to perform this dance in public (including to parents) you will need a Phonographic Performance Limited (PPL) licence and a Performing Rights Society (PRS) (Currently 2011) Wolverhampton LA act as the agent on behalf of Wolverhampton schools for this licence. It covers the use of recorded music by schools, in school premises, other than music used as part of the national curriculum. For more details, please use the following link: <http://www.cefm.co.uk/pplschoools.aspx> The PRS licence is required whenever copyrighted music is used in schools in a non-curricular manner. Details can be found at <http://www.cefm.co.uk/school-tariff.aspx>

MORAL: If you are performing under the terms of the above licencing then you are recognising the work of the originator of the works

SOCIAL: Any video recording of this dance performance should not be shared via a public site without expressed permission from the performers or their guardians. Permission to use the music track in this way will require additional licence permission

TECHNOLOGICAL: There are copyright "Free" musical alternatives available from online sources e/g www.freeplaymusic.com Alternatively learners could create their own music. (Please note that compositions created using software such as Dance e-jay and Apple's Garage Band are copyright and distribution rights free.

Can I use a music CD that I have bought for use in games such as musical chairs?

LEGAL: Yes you can, as long as you can demonstrate that this activity is part of your curriculum use of the music. If it clearly is not (or is a public performance) then you will need a PRS and PPL licence as described above.

MORAL: This must not be a "Bootleg Copy" and should have been legally acquired

SOCIAL: This should not be shared or included in any video of the activity

TECHNOLOGICAL: Additional copies should not be made

What are the punishments that are used in cases of breach of copyright? How frequently are schools affected by this?

LEGAL: In the case of commercial entities, their punishments are usually severe and are of a financial nature. However in the education sector most of these infractions appear to have been overlooked so far. NB Wolverhampton have had experience of one copyright infringement relating to photocopying of sheet music. Which involved the LA going to court (over 25 years ago) and this resulted in a significant fine for the authority.

MORAL: Just because there are seldom any cases does not mean that you should not uphold copyright law.

SOCIAL: Any such case would have major impact on your professional standing

TECHNOLOGICAL: Obtaining permission and/or copyright enabled material is relatively straightforward



One of my children produced a fantastic film using moviemaker but they used music from the charts in it... is this legal?

LEGAL: No, unless you have the expressed permission of the composer of the music or the copyright holder and their publisher.

MORAL: The composer of this music might not want their music repurposed and/or distributed in this way and associated with such a video.

SOCIAL: Just because this is commonplace outside school this does not make this accepted good practice.

TECHNOLOGICAL: There are copyright "Free" musical alternatives available from online sources e/g www.freeplaymusic.com alternatively learners could create their own music or play the actual track from purchased sheet music. (Please note that compositions created using software such as Dance e-jay and Apple's Garage Band are copyright and distribution rights free.

Can I take extracts from published books or websites and use them in teaching materials (e.g. embed them in a Smart notebook file and post them on to the Learning platform)

LEGAL: Yes you can. Your use is covered under the Copyright Licensing Agency (CLA) licence. This licence allows schools to copy from books, journals and magazines (including certain electronic publications), within certain limits and subject to certain exclusions. Further details may be found via the following link

http://www.cla.co.uk/schools/schools_support_material. You need to have adhered to the terms and conditions of the website that you have copied the information from.

MORAL: Repurposing should be for genuine educational use only. Appropriate credit and citation should be made.

SOCIAL: This should not be shared on a public facing site or charged for.

TECHNOLOGICAL: As it is very easy to make multiple copies of any digital document, care should be taken to prevent unauthorised use.

What are the rules on using photographs from online sources?

LEGAL: Yes you can, providing you have met the terms of the site from which you have downloaded the photograph. Please be aware that downloading photographs from Google images has individual and separate restrictions for each photograph. Historical photographs become out of copyright 70 years after the death of the owner of the copyright. (e.g. scans of Victorian Postcards would be acceptable, whereas photographs taken in the 1960's would not be out of copyright yet.) NB Historical photographic collections (e.g. Getty Images) will have specific rules for use.

MORAL: Whilst using photographs in this way is a widespread practice, please be aware that the person(s) who have ownership of the photograph have rights.

SOCIAL: Just because this is commonplace outside school this does not make this accepted good practice.

TECHNOLOGICAL: Please check to see if the school has already obtained a copy of a similar photograph from a copyright enabled source e.g. Espresso, Britannica on-line, Wolverhampton Local History Site.

Can I broadcast music around the school on my School Radio Station?

LEGAL: Yes you can. You will need a Phonographic Performance Limited (PPL) licence and a Performing Rights Society (PRS), (Currently 2011) Wolverhampton LA act as the



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agent on behalf of Wolverhampton schools for this licence. It covers the use of recorded music by schools, in school premises, other than music used as part of the national curriculum. For more details, please use the following link:

<http://www.cefm.co.uk/pplschoools.aspx> The PRS licence is required whenever copyrighted music is used in schools in a non-curricular manner. Details can be found at <http://www.cefm.co.uk/school-tariff.aspx> The assumption is that you are broadcasting across your school network or on a closed audio circuit of speakers, transmitting on a radio frequency other than on pre-licensed wi-fi channels will require an OfCom license. The music you play must not be a "Bootleg Copy" and should have been legally acquired, proof of this needs to be kept.

MORAL: If young people compose and perform their own music, it should be recognised and not distributed without their permission.

SOCIAL: Recordings of live shows that contain copyright music should not be distributed or listened to off the school premises.

TECHNOLOGICAL: Copying or dubbing the copyright music or recording is allowed explicitly for the purposes of playback in a live show.

Can I broadcast our School Radio Station live to parents at home and around the world?

LEGAL: Yes you can. You will need the technology to do this, but as long as you do not use any copyright music or recordings in your broadcast, you will not need a license for copyright music. If you do want to use music in your live streamed broadcasts that can be heard off the school premises you will need a "Small Webcasters" licence from the Phonographic Performance Limited (PPL) and a LOML "Limited Online Music License" Performing Rights Society (PRS). This is in addition to the current blanket license that Wolverhampton LA holds. There are conditions for both of these in the maximum permitted listeners and the amount of revenue the school can take in sponsorship of advertising on the broadcasts. For details of how to apply for a PPL license please use this link <http://www.ppluk.com/en/music-users/Online-and-mobile-radio/Non-Interactive-Radio/small-webcaster-licence/> For details of how to apply for a PRS License please follow this link

<http://www.prsformusic.com/users/broadcastandonline/onlinemobile/MusicServices/LOML/Pages/LOML.aspx> The assumption is that you are broadcasting online, transmitting on a radio frequency other than on pre-licensed wi-fi channels will require an OfCom license. Other conditions include the keeping or records of playlists and ensuring that all music played is not a "Bootleg Copy".

MORAL: If young people compose and perform their own music, it should be recognised and not distributed without their permission

SOCIAL: Recordings of live shows that contain copyright music should not be distributed or listened to off the school premises, unless a podcasting music license has been purchased, these are generally prohibitively expensive.

TECHNOLOGICAL: Copying or dubbing the copyright music or recording is allowed explicitly for the purposes of playback in a live show and a 15% additional charge is made by PPL for this permission.



School Actions to reduce risk via alternative resources

School have purchased Espresso which includes copyright enabled material. Staff should also explore free online resources such as 'Free Play music', which is copyright free. Other online resources such as Google images, Microsoft clipart etc can be used provided the terms and conditions are followed.

Monitoring and review

This policy is monitored by the Governing Board, and will be reviewed annually.

Signed:

Date:

