



Copyright Policy

Version 4

Approved by the Board of Governors

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This policy describes how the London School of Science and Technology (LSST) ensures that its academic, research and administrative activities comply with UK Copyright Law.

Document Information

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*The document owner is responsible for maintaining and updating the content of this document and ensuring that it reflects current practice at the School.

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1. Introduction

- 1.1. Copyright refers to the rights of the creator of any work to control the way this work is being used. According to the Oxford Dictionary (available at <http://www.oxforddictionaries.com>) copyright is defined as “the exclusive and assignable legal right, given to the originator for a fixed number of years, to print, publish, perform, film, or record literary, artistic, or musical material”.
- 1.2. According to the UK Copyright Service (available at <http://www.copyrightservice.co.uk>) the rights covered are determined as follows: “The law gives the creators of literary, dramatic, musical, artistic works, sound recordings, broadcasts, films and typographical arrangement of published editions, rights to control the ways in which their material may be used. The rights cover broadcast and public performance, copying, adapting, issuing, renting and lending copies to the public. In many cases, the creator will also have the right to be identified as the author and to object to distortions of their work. International conventions give protection in most countries, subject to national laws.
- 1.3. The London School of Science and Technology (LSST) is dedicated to supporting its staff to provide a creative and resourceful learning experience as well as to offering its students an environment for expressing the results of their learning development. This should take place in a manner that ensures that any work that is subjected to copyright is used fairly and lawfully.
- 1.4. It is the objective of LSST to adhere to all applicable intellectual property laws including the *Copyright, Designs and Patents Act 1988 (CDPA)* and its subsequent amendments.
- 1.5. This policy covers the use of both LSST Connect and the LSST Portal, aside from works created in the course of a student's studies or an employee's work, in which rights in copyright may arise by virtue of authorship (as detailed in 2.1 below).

2. Scope

- 2.1. The LSST Copyright Policy covers all types of copyrighted work as defined in the CDPA which may be used by both students and staff for the purposes of any learning activity taking place as part of LSST programmes of study. The Copyright Policy covers any student or staff use of copyrighted work regardless of whether this is physically within the grounds of LSST or it is stored locally or over the Internet outside the LSST campus. This Policy is aligned to existing LSST policies covering the use of the School's Virtual Learning Environment and its Regulations for the use of IT facilities. It does not cover the original work produced by LSST students and staff and its intellectual property rights, which are covered in the students' Enrolment Terms and Conditions and staff members' contracts of employment. It is expected that both students and staff will ensure that this

policy is followed as required and that any requests for clarification with respect to fair and lawful use of works should be directed immediately to the IT Department.

- 2.2. The IT Department assumes the responsibility for ensuring that this copyright policy is observed by students and staff. The IT Department should be the first point of contact for any requests associated with the use of works and copyright clearance. The IT Department should be consulted for the different types of works covered by the copyright policy and the procedures that must be followed to establish fair and lawful use of third party works. The IT Department can provide support in the form of advice, mentoring, training and awareness for students and staff upon request.
- 2.3. The Programme Leader of the concerned department assumes the responsibility for ensuring that the copyright policy is followed in the distribution of any hard copies given out to the students and for the material which is available on LSST's Virtual Learning Environment (VLE).
- 2.4. The Tutor/ Librarian plays a vital role in ensuring that the Copyright Policy is implemented by providing support to all Programme Leaders.

3. Material use & permissions – Copyright agreement (staff)

- 3.1. The different types of works protected under the CDPA include (i) Literary, dramatic and musical works, (ii) Databases, (iii) Artistic works, (iv) Sound recordings, (v) Films, (vi) Broadcasts, (vii) Cable programmes, (viii) Published editions, (ix) Justification: specification of different types of materials used.
- 3.2. Staff should be aware that they must not use without proper reference, any materials that are not their own original creation. This restriction relates to each one of the identified types of works and covers any aspect of the learning process, including all materials provided for offline and online delivery, as well as all types of formative and summative assessment. The provision of accurate referencing may not be sufficient for works that may require copyright clearance.
- 3.3. Before using any material, staff should investigate whether there are specific copyright restrictions for the specific content.
- 3.4. After confirming the existence of copyright restrictions, staff should notify the IT Department of the need to use the material.
- 3.5. The existing Copyright Licence Agreement ("CLA") for LSST should be used to assess whether copyright clearance is provided for the specific works.



- 3.6. Failing to acquire copyright clearance through the CLA that is in place, staff should liaise with the IT Department to obtain written permission for using the copyrighted work for the specified purpose.
- 3.7. Permission requests should be made sufficiently in advance of the proposed time for the use of the material in order to allow sufficient time for permission to be obtained and any necessary communication exchange.
- 3.8. Permission requests carry a responsibility for each member of staff, as certain provisions must be made. More specifically, obtaining permission requires the following actions:
- Investigating the need for using material that belongs to a third party
 - Assessing the copyright restrictions that may be in place for the required materials
 - Checking whether LSST has agreements in place covering the use of the materials
 - Allowing sufficient time for obtaining permission to use copyrighted materials
 - Ensuring that all communications are in writing through a formal LSST procedure
 - Obtaining written permission for the specific work that is needed
 - Providing a detailed description of how the work will be used and for how long
 - Clarifying whether the permission granted covers the needs for the specific work
 - Understanding the implications (including costs and administration) associated with receiving copyright clearance
 - Certifying what conditions and costs are imposed by the copyright holder (if any)
 - Not assuming that a lack of response denotes the consent of the copyright holders
 - IT Manager maintains a full record of all permissions granted to LSST staff and students
- 3.9. Materials produced by LSST staff in their original form can be used without copyright clearance. Staff should ensure that:
- The materials are indeed their own;
 - They avoid unauthorised adaptation of copyrighted materials;
 - They are aware of the LSST arrangements on Intellectual Property Rights;
 - Materials produced in the course of their employment are used solely for the purposes of that employment (e.g. teaching LSST's courses) and not for private business purposes.
- 3.10. Text based material should not be digitised or used if already in digital form for dissemination to students through the VLE without copyright clearance or written permission by the copyright holder.
- 3.11. Images should not be digitised or used if already in digital form for the dissemination to students through the VLE without copyright clearance or written permission by the copyright holder.

- 3.12. Sound and video recordings should not be used for dissemination to students through the VLE without written permission by the copyright holder.
- 3.13. Web pages may include several copyright protections that may cover text, images and multimedia files. Therefore they should not be used for dissemination to students through the VLE without copyright clearance or written permission by the copyright holder. It is suggested that the use of links should be preferred rather than the use of website content. If the use of links is necessary the following measures should be taken:
- The provided link should direct visitors to the website homepage, where essential copyright notices may be displayed,
 - The use of deep linking should be avoided but if a direct page must be linked, written permission by the copyright holder should be obtained,
 - The links provided should be through text and the use of logos that may be copyright protected should be avoided,
 - The display of linked website content should be in a way that ensures the linked content may not be perceived as part of the LSST website,
 - LSST Connect users should be notified of any copyright restrictions that may be applicable on the linked website.
- 3.14. Databases should be used only after liaising with the IT Manager, as it is essential to ensure the type of licence agreement that may be in place for the use of specific databases. The LSST librarian will be able to assist in identifying the licence agreement for specific databases and the extent to which the agreement covers the student cohort that may require access to the database content.

4. Material use & permissions – Copyright agreement (students)

- 4.1. The different types of works protected under the CDPA include (i) Literary, dramatic and musical works, (ii) Databases, (iii) Artistic works, (iv) Sound recordings, (v) Films, (vi) Broadcasts, (vii) Cable programmes, (viii) Published editions, (ix) Justification: specification of different types of materials used.
- 4.2. Students should be aware that they must not use without proper reference any materials that are not their own original creation. This restriction relates to each one of the identified types of works and covers any aspect of the learning process, including all types of formative and summative assessments. Failing to properly refer to the source of the materials used is likely to lead to an investigation for possible plagiarism. More information with regards to LSST plagiarism procedures is included in the LSST Student

Handbook. The provision of accurate referencing may not be sufficient for works that require copyright clearance.

- 4.3. Before using any material, students should investigate whether there are specific copyright restrictions for the specific content.
- 4.4. After confirming the existence of copyright restrictions, students should notify their tutors for the need to use the material.
- 4.5. The existing CLA for LSST should be used to assess whether copyright clearance exists for the specific works.
- 4.6. Failing to acquire copyright clearance through the CLA that is in place, students should liaise with the Tutor Librarian to obtain written permission for using the copyrighted work for the specified purpose.
- 4.7. Permission requests should be made sufficiently in advance of the proposed time for the use of the material in order to allow sufficient time for permission to be obtained and any necessary communication exchange.
- 4.8. Permission requests carry a responsibility for each student, as certain provisions must be made. More specifically, obtaining permission requires the following actions:
 - Investigating the need for using material that belongs to a third party
 - Assessing the copyright restrictions that may be in place for the required materials
 - Checking whether LSST has agreements in place covering the use of the material
 - Allowing sufficient time for obtaining permission to use copyrighted materials
 - Ensuring that all communications are in writing through a formal LSST procedure
 - Obtaining written permission for the specific work that is needed
 - Providing a detailed description of how the work will be used and for how long
 - Clarifying whether the permission granted covers the needs for the specific works
 - Understanding the implications (including costs and administration) associated with receiving copyright clearance
 - Certifying what conditions and costs are imposed by the copyright holder (if any)
 - Not assuming that a lack of response denotes the consent of the copyright holders
 - The IT Manager maintains a full record of all permissions granted to LSST staff and students
- 4.9. Materials produced by LSST students in their original form can be used without copyright clearance. Students should ensure that:
 - The materials are indeed their own
 - They avoid unauthorised adaptation of copyrighted materials
 - Being aware of the LSST policy on Intellectual Property Rights

- Materials produced for the purpose of their studies are used solely for the purposes of their studies with LSST, and not for private business purposes
- 4.10. Text based material should not be digitised or used if already in digital form for dissemination to students through the VLE without copyright clearance or written permission by the copyright holder.
- 4.11. Images should not be digitised or used if already in digital form for dissemination to students through the VLE without copyright clearance or written permission by the copyright holder.
- 4.12. Sound and video recordings should not be used for dissemination to students through the VLE without written permission by the copyright holder.
- 4.13. Web pages may include several copyright protections that may cover text, images and multimedia files. Therefore they should not be used for dissemination to students through the VLE without copyright clearance or written permission by the copyright holder. It is suggested that the use of links should be preferred rather than the use of website content. If the use of links is necessary the following measures should be taken:
- The provided link should direct visitors to the website homepage, where essential copyright notices may be displayed.
 - The use of deep linking should be avoided but if a direct page must be linked, written permission by the copyright holder should be obtained.
 - The links provided should be through text and the use of logos that may be copyright protected should be avoided.
 - The display of linked website content should be in a way that ensures the linked content is not to be perceived as part of the LSST website.
 - The LSST Connect users should be notified of any copyright restrictions that may be applicable on the linked websites.
- 4.14. Databases should be used only after liaising with the IT Manager, as it is essential to ensure that a licence agreement is in place for the use of specific databases. The LSST Librarian will be able to assist in identifying the licence agreement for specific databases and the extent to which the agreement covers the student cohort that may require access to the database content.

5. Copyright Policy Implementation



- 5.1. Failure to follow the procedures set out in this policy and failure to adhere to the rules of the CDPA is likely to lead to a copyright infringement claim towards the individual staff member, student or LSST.
- 5.2. Copies of this Policy are available to download from LSST Connect and on the School's main website. The copyright agreement for staff members and students is included in the LSST staff and student handbooks.
- 5.3. A copyright infringement claim may be directed to an individual member of staff, student or LSST. If a member of staff is accused of copyright infringement, they should contact the IT Department. The IT Department will liaise with the individual in order to investigate the claim, engage in communication with the accusing party, undertake any necessary negotiations and to provide support. Copyright law does not allow a defence based on ignorance of the law. It may not be possible for LSST to offer any assistance to the individual staff member if allegations of copyright infringement fall outside of LSST's normal course of business.
- 5.4. If a student is accused of copyright infringement, they should contact their lecturer in the first instance. Accusations may relate to (i) academic related incidents, (ii) the use of LSST infrastructure, (iii) extra-curricular activities. Depending on the type of allegation, the corresponding LSST member of staff will offer advice and assistance.



Version History

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