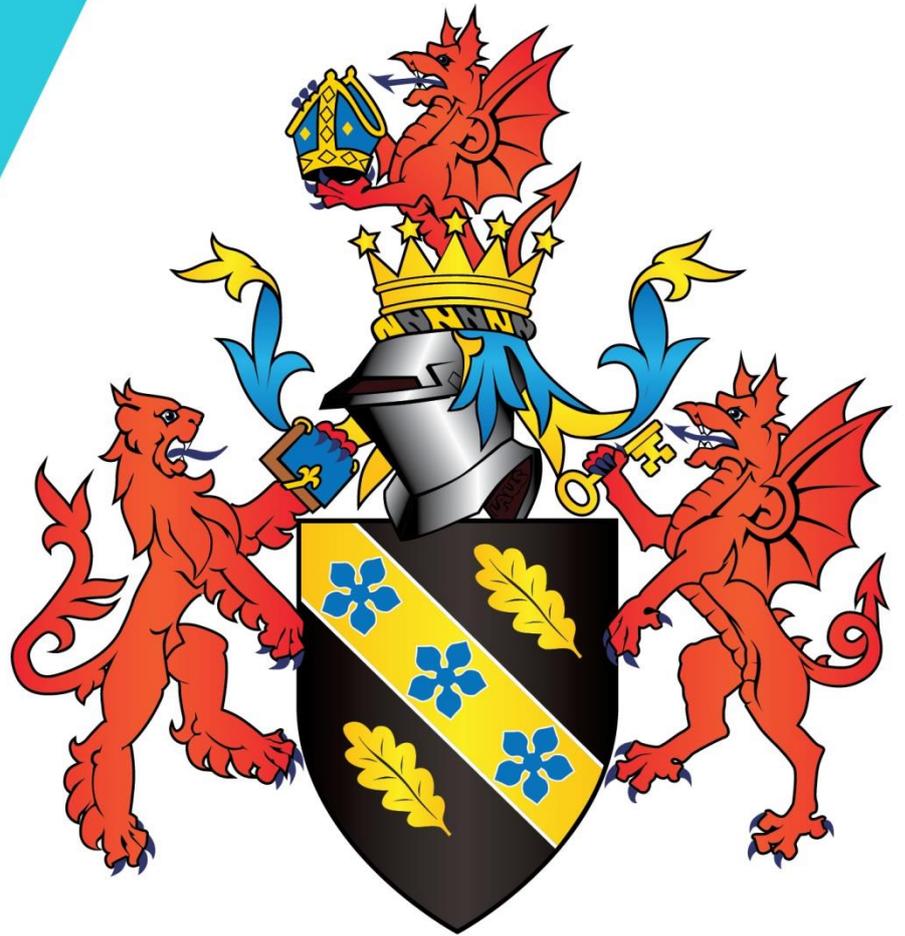




Prifysgol Cymru  
Y Drindod Dewi Sant  
University of Wales  
Trinity Saint David



# Library and Learning Resources Copyright Policy

University of Wales Trinity Saint David

Copyright Policy



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## 1. Introduction

Copyright provides legal protection for an author/creator of original work; this includes literary, artistic, dramatic and musical works, films, and sound recordings. If a work is copyrighted, then people cannot copy or adapt such materials without the permission of whoever owns the copyright, or by adhering to the relevant licences or legal exceptions.

UWTSD is committed to:

- Acknowledging and protecting copyright, whether it is owned by the University, its employees, students, or third parties.
- Adhering to any terms and conditions it has agreed to with third parties, including those contained in licences held by the University.

Therefore, any activity within the University must take account of UK copyright law and must be in accordance with any relevant licences held by the University. Partner institutions are required by the terms of the LLR MOU to have their own equivalent licences in place.

The Library and Learning Resources department will provide guidance on copyright issues and will maintain an information resource accessible to staff and students which provides advice on copyright best practice. Arrangements for support at Partner Institutions rests with the Partner Institution.

## 2. Purpose

This policy aims to clarify responsibilities for the management and use of copyright material at UWTSD, and to demonstrate best practice. This applies to all students, staff, and partners of the University.

In order to avoid reputational damage and the incurring of liability, employees and students must:

- Adequately protect the copyright material they produce.
- Adhere to copyright laws and practices when using third party materials.
- Be aware of copyright ownership while they are employed or studying at UWTSD.
- Be aware of what they are permitted to do with third party copyrighted materials.

## 3. Use of Third-Party Material

Staff, students and researchers at UWTSD who use third party material must either:

- Obtain permission of the third-party copyright holder
- Make use of any relevant copyright exceptions (see section 6).
- Ensure that the University has a license in place that covers the use of the material, such as the Copyright Licencing Agency (CLA) licence or Educational Recording Agency (ERA) licence.



If staff, students or researchers are unsure whether copyright exists in the materials they wish to use they must:

- Thoroughly investigate the provenance of materials, and whether there is a copyright holder.
- Seek written permission from the copyright holder if this is discovered through these investigations.

If permission to use these materials is not given, either because permission is not given by the copyright holder, or the copyright holder cannot be found, and there are no legal exceptions that can be used, then there is a risk of copyright infringement and possible legal, financial and reputational damage to the person and to the University.

However, before this situation arises employees and students should contact the LLR for guidance on preventative steps and alternative resources.

#### 4. Licences

The University holds a Photocopying and Scanning HE Licence from the CLA. This enables the Library to digitise print copies of journal articles, book chapters or images held in books. Note only certain countries of publication are covered, and some individual works and publishers have been excluded from this mandate. These licences do not cover staff and students based at partner institutions, who must have their own equivalent licences in place.

Please note that these copies can only be created and provided by designated officers within the LLR, and must be delivered via Moodle. Relevant submission forms for the Digitisation service and contact information can be found on the website.

The University also holds an ERA licence which enables educational establishments to legally make recordings or copies of TV and radio programmes for educational use. The Licence covers the TV and radio output of ERA's Broadcaster Members. Although the LLR also subscribes to a wide range of video streaming which can be used for teaching and learning in the same way as other types or e-resources.

#### 5. Online Resources

The online resources that UWTSD subscribes to are also subject to licence agreements with publishers and can only be used for non-commercial study.

You can normally copy or print one article of a journal, or a limited amount of an ebook, dependent on the publisher's licence. You are not permitted to share, or provide copies to others e.g. photocopying, emailing, or posting them online, unless the licence permits (for instance a creative commons licence). For teaching purposes downloaded copies should not be made available on

Moodle unless you know this is specifically allowed in the licence. It is always best practice to provide a link to the resource itself.

#### 6. Copyright Exceptions and Fair Dealing

Copyright exceptions exist under UK copyright law to allow limited use of copyrighted materials in certain circumstances, without seeking permission of the copyright holder. These include copying works for educational purposes, non-commercial research and



private study. Further information on the use of copyright exceptions is available in the Copyright Guide.

To use these exceptions you have to:

- Provide acknowledgement of the rights holder where this is possible to do so.
- Ensure you are not competing with the rights holder in your use of the material.
- Not make excessive use of the work.
- Not use the work for commercial purposes.

Students with a disability are covered by UK copyright law where their impairment affects their ability to study or work on an equal basis as someone without impairment. Therefore, copyrighted works can be altered to an appropriate format, as long as suitable accessible copies cannot be obtained commercially under reasonable terms.

## 7. Copyright Infringement

If a member of staff, a student, or a researcher of UWTSD becomes aware of a copyright infringement, either from a third party directed against themselves or a member of the University, or of an infringement by a third party of University copyright, they should immediately report this to the Copyright Officer. This is the Executive Head of Library and Learning Resources.

## 8. Responsibility for Copyright Compliance

Although UWTSD has a responsibility to ensure that copyright law and compliance are adhered to by its employees and students, it remains the responsibility of the individual creating or using copyrighted material to ensure that they do not breach copyright law or infringe the copyright of any third party.

## 9. Copyright Auditing and Monitoring

The University monitors use of copyright material and provides annual statistics to the Copyright Licencing Agency (CLA) and other licencing organisations. This process informs the University policy and its commitment to good practice and fair payment to copyright holders.

## 10. Related Policies

Intellectual Property Policy: [https://uowtsd.sharepoint.com/:b:/r/corporate-services/Shared%20Documents/Policies%20%26%20Strategies/Other%20Staff%20Related%20Policies%20\(Non%20HR\)/2.0%20Staff%20Intellectual%20Property%20Policy.pdf?csf=1&e=en7xnH](https://uowtsd.sharepoint.com/:b:/r/corporate-services/Shared%20Documents/Policies%20%26%20Strategies/Other%20Staff%20Related%20Policies%20(Non%20HR)/2.0%20Staff%20Intellectual%20Property%20Policy.pdf?csf=1&e=en7xnH)

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**Job Title: Head of Academic Service, LLR.**  
**Job Title: Academic Liaison Librarian.**



### 11. Document version control

Version No:	Reason for change:	Author:	Date of change:
1		EH/SJ	
2	Amendments following discussion at APC.	SJ	11/1/19
3	Revised for 21/22	EH/SJ	2/11/21

(this should include the journey of the policy through the Committee structure).

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**Is the Policy applicable to:** HE

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