



#### **What you write belongs to you.**

When you look at something you've written and say 'These are my words.' You are speaking the literal truth. Your written words are your property – unless you have agreed to write them on behalf of your employer.

And those words remain yours wherever they appear – on some form of paper in the traditional way – or digitally via a computer, e-reader, mobile phone or any other electronic device.

#### **You need to understand your rights and to respect other people's.**

If you scan, photocopy or otherwise reproduce someone else's written work without permission (from the owner or under an exception to copyright), you are breaking the law. Disregard for copyright is a form of theft and we need to make all our students aware of that.

#### **When you buy a book (or magazine or newspaper) you own the paper and the ink and restricted access to the content.**

When you consult a copyright-protected webpage then you may read and browse it. You may be invited to email a link to someone else.

#### **In none of these cases is the content yours to take and sell, project onto a screen in class or pass off as your own.**

The content remains the property of the literary copyright holder – usually the author in the case of a book, although for articles in newspapers, magazines and journals this ownership may rest in the publisher. And it cuts both ways. Say, as a teacher, you write something – a model answer or a lesson plan perhaps. Another teacher in another school takes, reproduces and uses it in lessons without your permission.

#### **He or she is breaking the law.**

Such theft is serious, particularly for professional authors because it means that the writer of the words is getting no income from their use.

#### **If a copy of a writer's book is sold he or she receives a percentage of the selling price, known as a royalty. A small payment also goes to the author if a book is borrowed from a library.**

In the case of an e-book, the publisher has obtained permission from the writer to create a digital copy and to distribute it online. Authors are paid for this by their publishers.

But if, on the other hand, a single copy of a book is obtained and large sections of it scanned onto a computer for class use the writer gets nothing for multiple use of his or her book. The teacher has stolen it.

#### **It is theft to take and use something which belongs to someone else without permission. The principle applies to writing just as much it**

#### **does to other forms of property such as a wallet, bicycle or necklace.**

Copyright law is there to protect everybody. Most teachers are, to some extent, also writers. So look after your own work and respect other people's – just as you would their cars, homes or other material possessions.

#### **As teachers we need to role model that respect for our students. It is part of good citizenship.**

We also need to make students aware of copyright law and how it works – just as we teach them that it is wrong to take money from someone else's purse.

#### **Teenagers need to be helped to learn what copyright means and how it can be protected – their own as well as that of the writers whose books and websites they are using.**

If copyright is not respected there is no incentive to write. Where would schools and pupils be without time-honoured English literature texts such as *The Woman in Black* by Susan Hill or *Goodnight Mr Tom* by Michelle Magorian? And can you imagine teaching without the text books and other copyright-protected resources which writers have created for you?

## Frequently Asked Questions

### 1. Where can I find details of copyright law?

**UK copyright law is set out in the European Commission (EC) Copyright, Designs and Patents Act 1988. It has been revised by a number of EC directives over the years.**

You can download it from: [www.legislation.gov.uk/ukpga/1988/48/contents](http://www.legislation.gov.uk/ukpga/1988/48/contents)

### 2. How do I get permission to reproduce an extract from a book to use in a lesson?

**The school needs to buy an annually renewable licence from the Copyright Licensing Agency (CLA).**

See [www.cla.co.uk](http://www.cla.co.uk)

There are different levels of licence to cover different sorts of reproduction of material. BUT – and it's a big 'but' – remember that NO licence gives you total freedom to reproduce. There are ALWAYS restrictions. The system works quite fairly because a proportion of the licence fee is paid to authors through the Authors' Licensing and Collecting Society (ALCS). Most schools will have a licence but it is a good idea to check and see if yours does. Until now, licences for state schools have usually been organised by local authorities. From April 2013 this will be managed nationally to minimise administration and costs. Independent schools, obviously, have to apply for the appropriate licence themselves.

### 3. Does this include e-books?

Yes, CLA licences now cover copying from e-books provided that the publisher of the e-book has opted into the scheme. There is a list of the publishers which have agreed to take part on the CLA website. Do check before you copy. Digital editions of magazines which your school may subscribe to are covered in the same way.

### 4. How long does copyright in books last?

**70 years from the author's death.**

Take the novel *Lord of the Flies*. It was first published in 1954 and has long been a popular school text. Its author, William Golding died in 1993 so *Lord of the Flies* remains in copyright until 2063. This means you may reproduce as much Shakespeare, Wordsworth, Austen, Dickens or Kipling as you like (because they have all been dead more than 70 years) without infringing their literary copyright (other copyright works such as art and publishing rights can still apply to Public Domain literary works). But if you reproduce the works of living authors such as Martin Amis or Harper Lee, or relatively recently dead ones such as WH Auden (died 1973) you are breaking the law.

### 5. Is the writer of a book always the copyright holder?

**No. After an author's death someone else, often the family, inherits his or her copyrights.**

Sometimes a writer sells or gives a copyright to someone else. It can be conceded to an assigned publisher or donated to a charity, for example. And if you write your school's prospectus the copyright will belong to the school because you have written it as an employee for your employer – unless you negotiate with your head and governors and arrange that the copyright remains with you. The important point to remember is that copyright is ALWAYS someone's property during the writer's life and for 70 years after his or her death.

#### **6. What about copying material from free-to-use websites – the ones which don't require you to pay to look at them? Surely I can copy from these without worrying?**

If your school has a CLA licence you're permitted to take 5% of the content, or one chapter of a complete book, which you can then include in online learning resources, display on the electronic whiteboard in your classroom and so on.

Authors are legally entitled to 'moral rights' in their digital work just as for printed words. That means that you should include the name of the author when you reproduce his or her writing in any format. Equally you should not change what the author wrote unless your licence covers the creation of educational exercises from the writing – such as filling in missing words.

#### **7. Do I need a licence to use online resources such as Espresso Education ([www.espresso.co.uk](http://www.espresso.co.uk)) which uses clips from TV and radio programmes? After all somebody wrote them.**

Almost all schools hold an Educational Recording Agency (ERA) ([www.era.org.uk](http://www.era.org.uk)) licence which covers services such as BBC iPlayer, including looking at the clips on a separate PC at home. ERA pays contributing authors via ALCS. Companies such as Espresso have their own agreements to pay their authors. But there are plenty of sites with clips which do not have permission or any payment system for authors so proceed with care and check each site you want to use carefully.

#### **8. If I write, or one of my students writes, something we want to protect do we have to put a copyright sign © on it?**

**It doesn't affect your rights.**

The copyright in the writing exists with or without a copyright sign. The purpose of the sign is simply to remind the reader or user that the work belongs to someone else.

#### **9. Surely all this doesn't apply to schools? We have low budgets and we only reproduce material to help students learn.**

**Copyright law provides limited allowances for educational establishments, but schemes such as those operated by CLA and ERA provide extensive access to a vast set of works.**

#### **10. Where can I go for further information on copyright and schools?**

Try [www.copyrightandschools.org](http://www.copyrightandschools.org). It's a website developed by CLA to make some of these potentially quite complex issues as clear as possible.

#### **Can I teach copyright law in citizenship lessons?**

**Yes, although there is no specific mention of it in the National Curriculum.**

Copyright education fits well into citizenship work on the media and into units of work about rights, wrongs and respect. Many people and organisations, including ALCS, would like to see copyright education specified in the citizenship curriculum.