

Chris Morrison
Copyright and Licensing Compliance Officer
University of Kent

LIS Copyseek Colloquium University of Greenwich 22 July UUK/GuildHE Copyright Working Group



Copyright in the higher education sector

Copyright Working Group

Since the introduction of the Copyright Designs and Patents Act 1988, Universities UK and GuildHE have convened a Copyright Working Group responsible for negotiating copyright licences on behalf of the higher education sector, where this is considered to be in the interests of the sector. The group offers advice to Universities UK and GuildHE on EU and UK copyright initiatives, including consultations on draft legislation.

The membership of the group consists of librarians, academics and copyright officers from higher education institutions.

The current members are:

- Mr David Anderson-Evans (chairman)
- Mr David Farley
- Ms Sarah Hall
- Mr Chris Morrison
- Ms Monique Ritchie
- Mr Sam Roseveare
- Dr Jane Secker
- Ms Kate Vasili
- Mr Ralph Weedon

Corresponding members:

- Mr Toby Bainton
- Professor Sol Picciotto

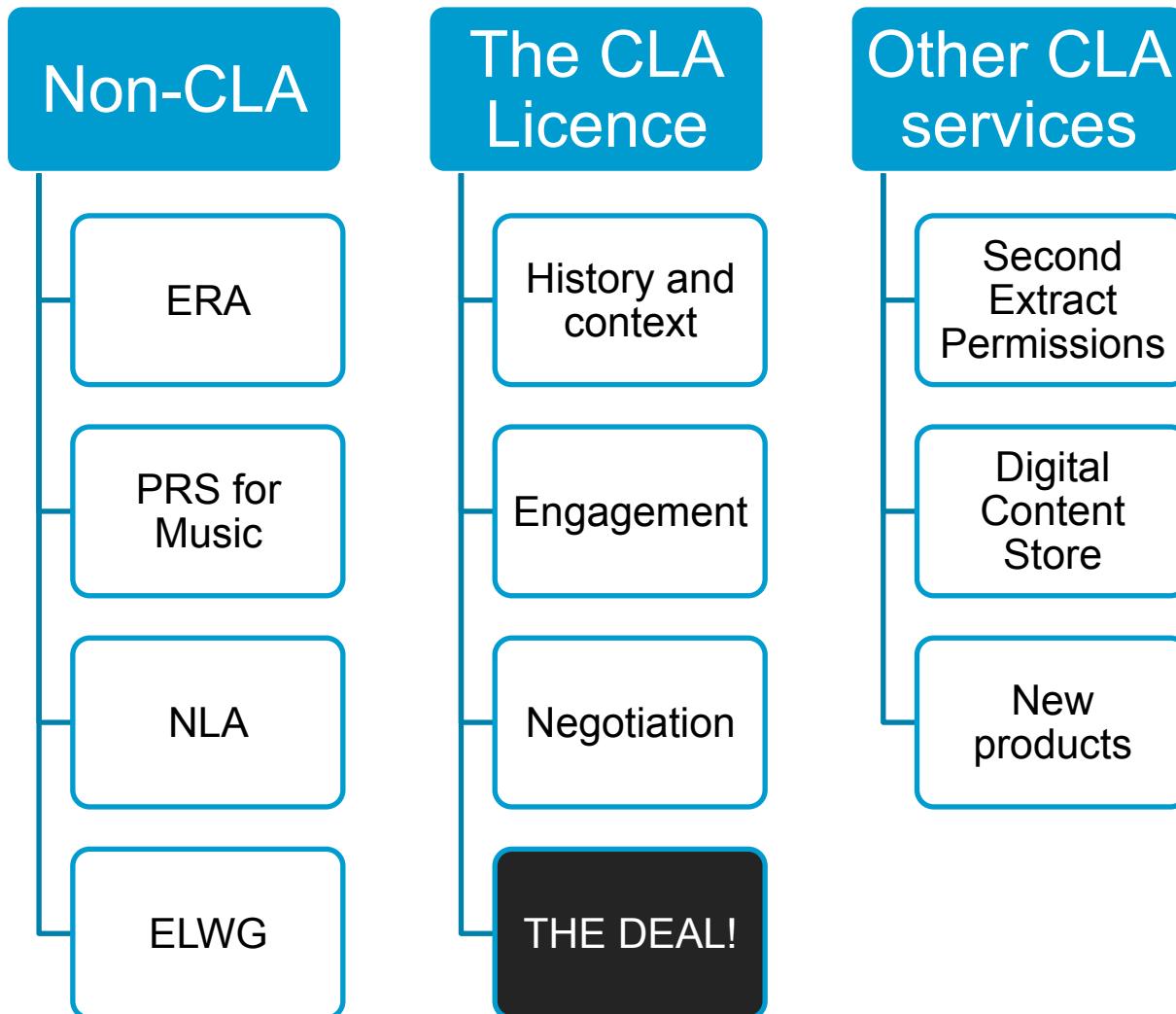
Licensing coordinators can contact any member of the group about any licensing issue about which they have concerns. All communications are treated in confidence and the names of individual licensing coordinators or institutions are never referred to.



Universities UK



Today's presentation



Tariff for HE to remain at current rates for a further two years

8th June 2015

ERA is pleased to announce that, following discussions with UUK and Guild HE for publication of a tariff to apply from 1 August 2015, the current tariff for students of HE will remain at the current level (agreed from 1 August 2014) for a further two years from 1 August 2015.

The agreed tariff will therefore remain at £2.35 for each full-time and full-time equivalent student. A Higher Education student who is not on a full time or sandwich course will be treated as 0.35% of a "full-time equivalent" for calculating fees due against the £2.35 tariff. Full details of the agreed tariff can be found [here](#).

PRS for Music



PRS for Music

Tariff 'UC' University colleges and other
institutions of higher education

Customer Consultation

Published: September 2015



PRS for Music

Tariff 'UC' University colleges and other
institutions of higher education

Response Summary

Published: June 2016



NLA EDUCATION ESTABLISHMENT LICENCE

Higher Education
Licensing Services

CLA Higher Education
Licence

Second Extract
Permissions Service

PackTracker and
HERON services

Enhanced Higher
Education Supply
Service (EHESS)

Overseas Campus-
Based Students Pilot

You are here: **Higher Education licensing services** > **Higher Education Licensing Services** > **NLA Education Establishment Licence**

About the Education Establishment Licence

NLA media access has appointed CLA as its exclusive agent for all UK education licensing. From August 2014, institutions will be able to manage their news content copyright licence through CLA.

Read  joint CLA-NLA FAQs

This licence is suitable for further and higher education establishments, such as universities and colleges, that copy from both printed and online NLA media access publications for classroom and study use. The offering consists of the Basic Licence, which covers copying for teaching and learning, along with various additional opt-in services designed to complement the other content requirements of the institution.



News and blog

Keep up to date with
everything that's new for
Higher Education

Check Permissions

Not sure whether
or not the resource
you want to reproduce
is covered.

Education Licensing Working Group

The group is working with the Copyright Hub to support clarity, reduced bureaucracy and transparency in copyright licensing for schools, colleges and universities. The Group is taking forward the work commenced following publication of the report by Richard Hooper and Ros Lynch, who had been appointed by the Government to investigate the feasibility of establishing a Digital Copyright Exchange – now the Copyright Hub – as recommended in the Hargreaves report on modernising copyright law.

Education Licensing Working Group Members

Alan Rae – [Copyright Scotland](#)

Andrew Yeates – [ERA](#)

Helen Nicholson – [ERA](#)

David Churchyard – [CCLI](#)

Simon Culm – [Filmbank](#)

Christine Dickson – [Centre for Education and Finance Management](#)

Stephen Edwards (chair) – [Reed Smith](#)

Julian Gravatt – [Association of Colleges](#)

Steve Hills – [PRS for Music](#)

Jo De Vito – [CLA](#)

Mat Pfleger – [CLA](#)

Chris Morrison – [University of Kent \(UUK\)/Guild HE](#)

David Mason – [NEN](#)

David Taylor – [MPLC](#)

Richard Flower – [Independent Association of Prep Schools](#)

Richard Stewart – [PPL](#)

Mark Steel – [PPL](#)

Jennifer Crewe – [NLA Media Access](#)

Tony Jardine – [Ordnance Survey](#)

Mark Waugh – [DACS](#)

Dominic Young – [Copyright Hub](#)

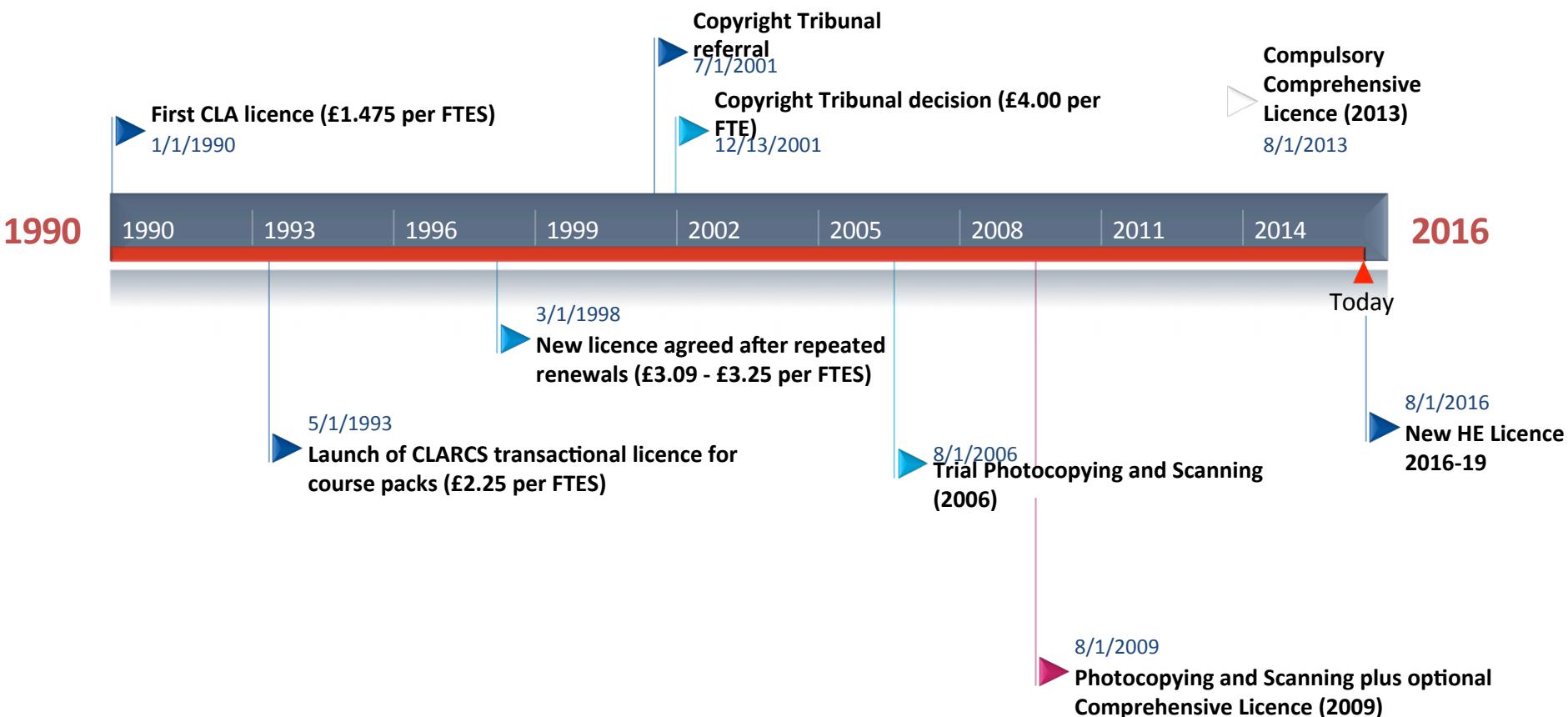
CLA Higher Education Licence

Higher Education Institutions that hold the CLA Higher Education Licence can, subject to the terms and conditions, copy and re-use extracts of text and still images from printed books, journals and magazines, and from digital publications (including some websites that are free-to-view but not free-to-copy). You can find the full terms and conditions of the Licence at he.cla.co.uk.



The Copyright
Licensing Agency

History and context



The CLA's conundrum



Print



VS



Digital

DIGITAL CONTENT STORE

Higher Education
Licensing Services

CLA Higher Education
Licence

Second Extract
Permissions Service

PackTracker and
HERON services

Enhanced Higher
Education Supply
Service (EHESS)

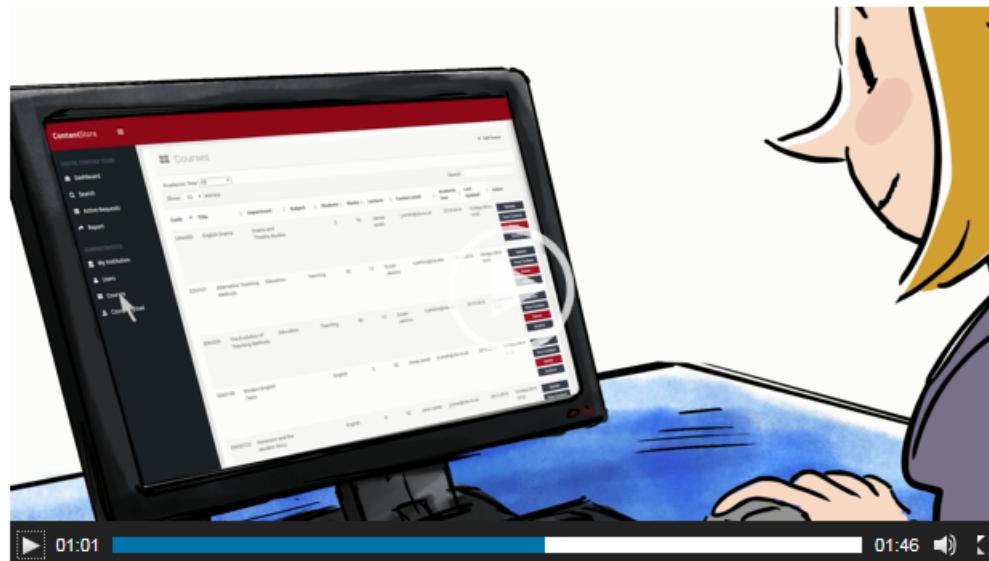
Overseas Campus-
Based Students Pilot

Digital Content Store

You are here: [Higher Education licensing services](#) > [Higher Education Licensing Services](#) > Digital Content Store

About the Digital Content Store

We've modernised the Higher Education Licence. Working with higher education institutions (HEIs), publishers and technology partners we have developed an optional innovative cloud platform that combines a searchable repository of digitised book and journal extracts with an online workflow management tool.



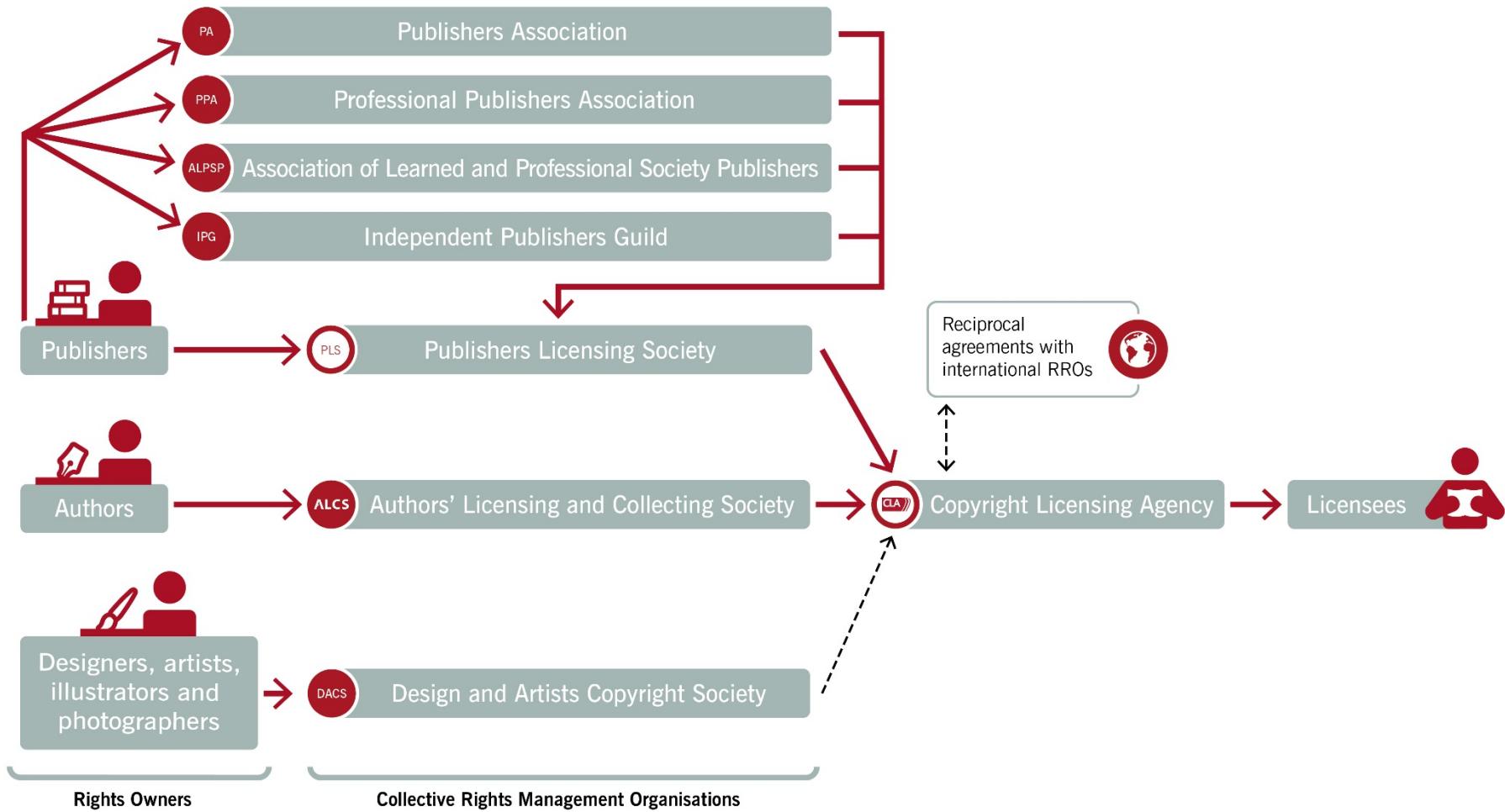
News and blog

Keep up to date with
everything that's new for
Higher Education

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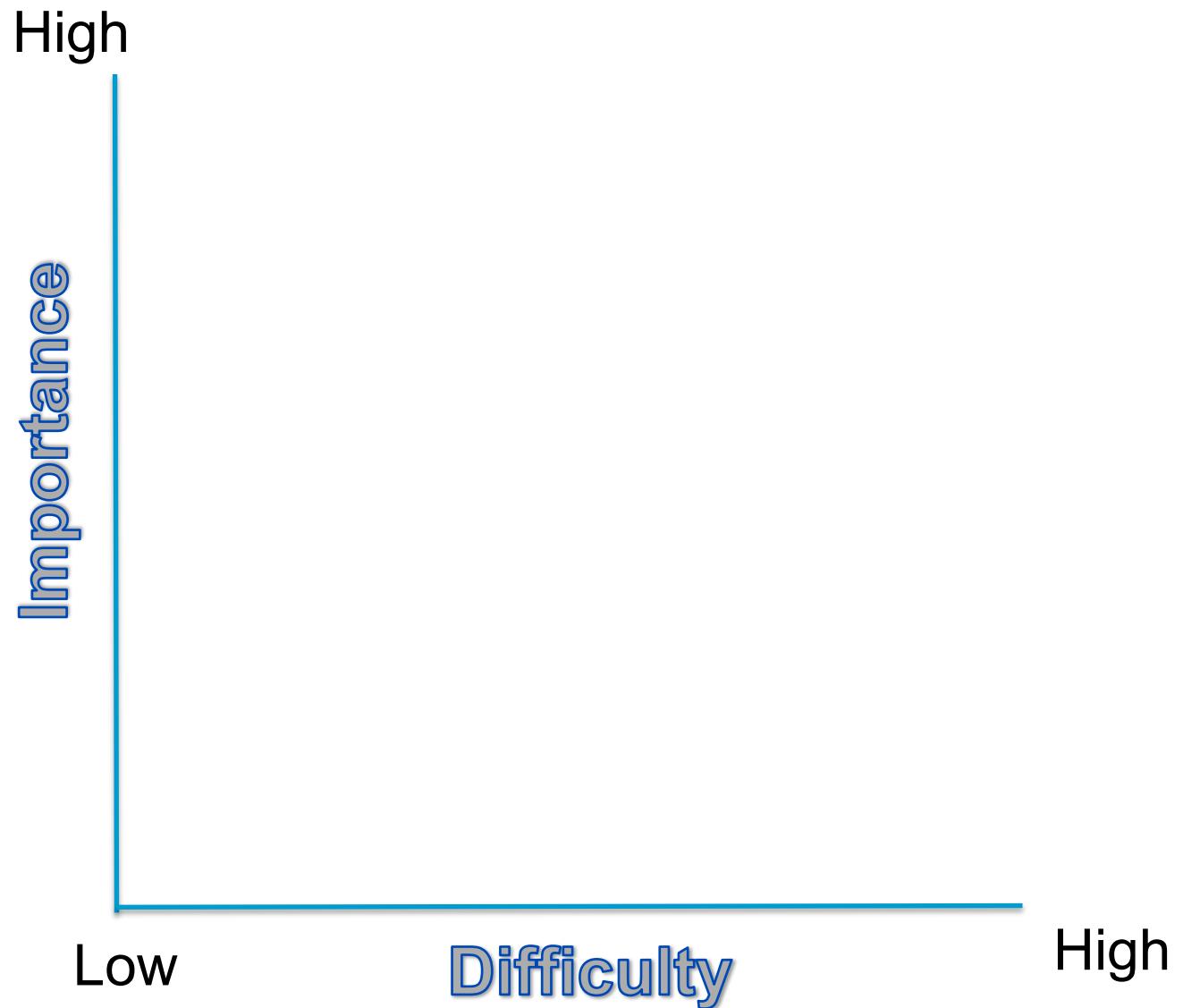
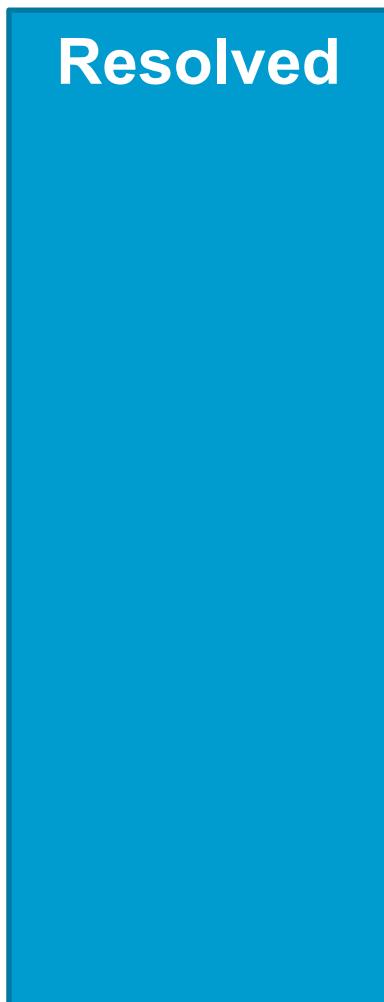
Blanket Licensing: Where do the rights come from?



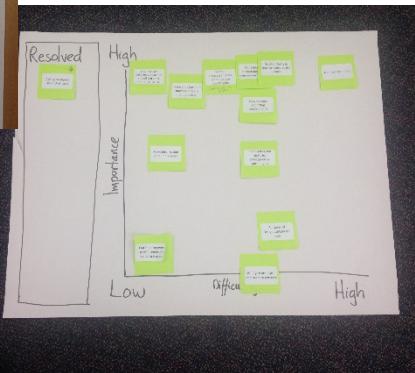
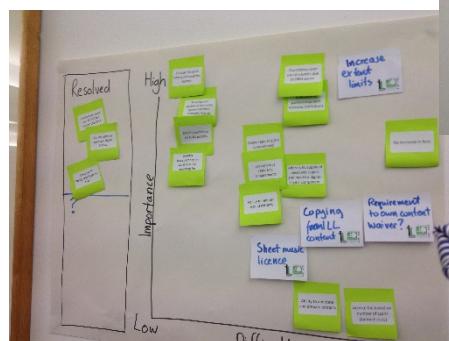
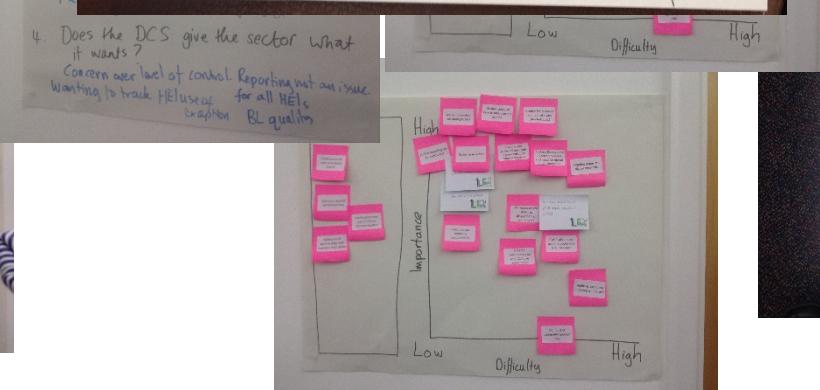
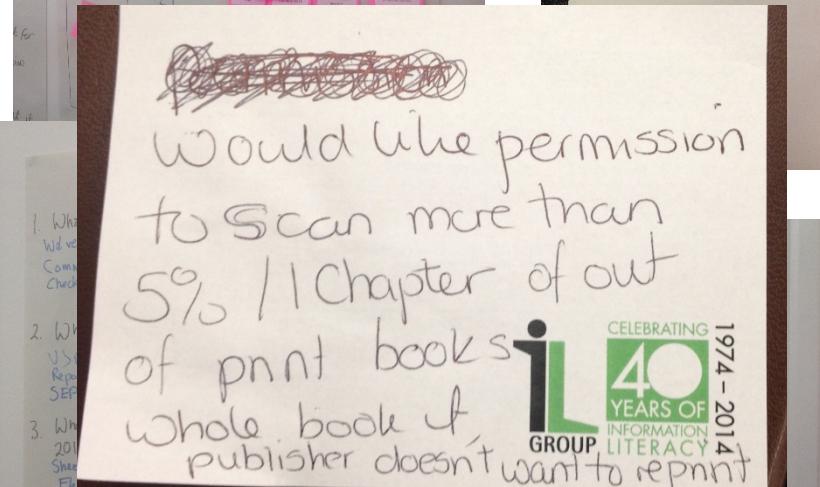
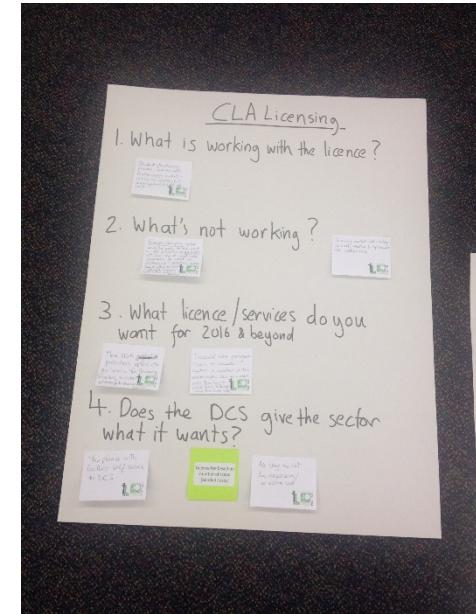
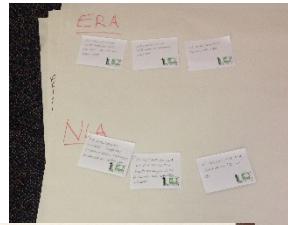
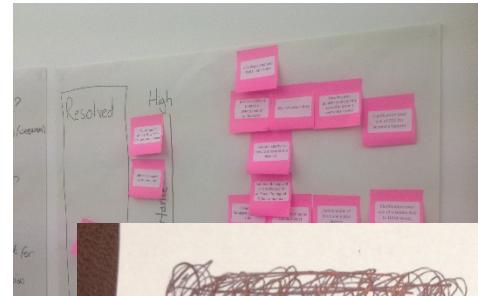
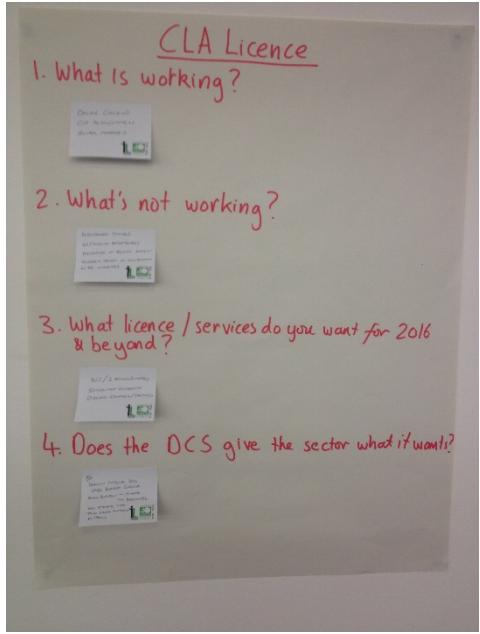
Engagement



2016 CLA Licence wish list



Outputs from July 2015 event



HE Requests

Increased Extent Limits

- 15% or one chapter from a book whichever is the greater;,
- 15% or two articles from a journal issue (especially where they are on the same subject), whichever is greater.
- for anthologies, poems and short stories
- Greater limits for out of print or hard to obtain publications

Reduction in the licence fee.

No RPI or CPI annual increase over the term of the licence or at all.

Flexible pricing models for low users.

Repertoire to be better aligned (paperback/hardback – print/digital)

Remove the requirement to own print items and allow copying from Library ILL's or other legitimate source.

Remove the requirement for assigning designated person roles.

Remove the requirement to retain course readings for the duration of a course of study (e.g. module) only.

What didn't work

Reduction of
fee

Repertoire
alignment

Flexible two
tier model

Rewrite
licence
agreement

The Deal – what we got

Extent limit
increase

Result on costs

Removal of RPI /
CPI increases

Retention of
readings for
duration of
course

Designated
persons

Update user
guidelines

Data sharing

Reduce reporting
overheads

Information on
audits

How much can I copy?

You can copy up to the following amount for each course:

1

or

10%

of the total publication

- whole chapter from a book
- whole article from a magazine/journal issue
- whole scene from a play
- whole paper from a set of conference proceedings
- whole report of a single case from a volume of judicial proceedings
- short story, poem or play (not exceeding 10 pages in length) from an anthology

or

Whichever is the greater

Cost of licence for 2016-19

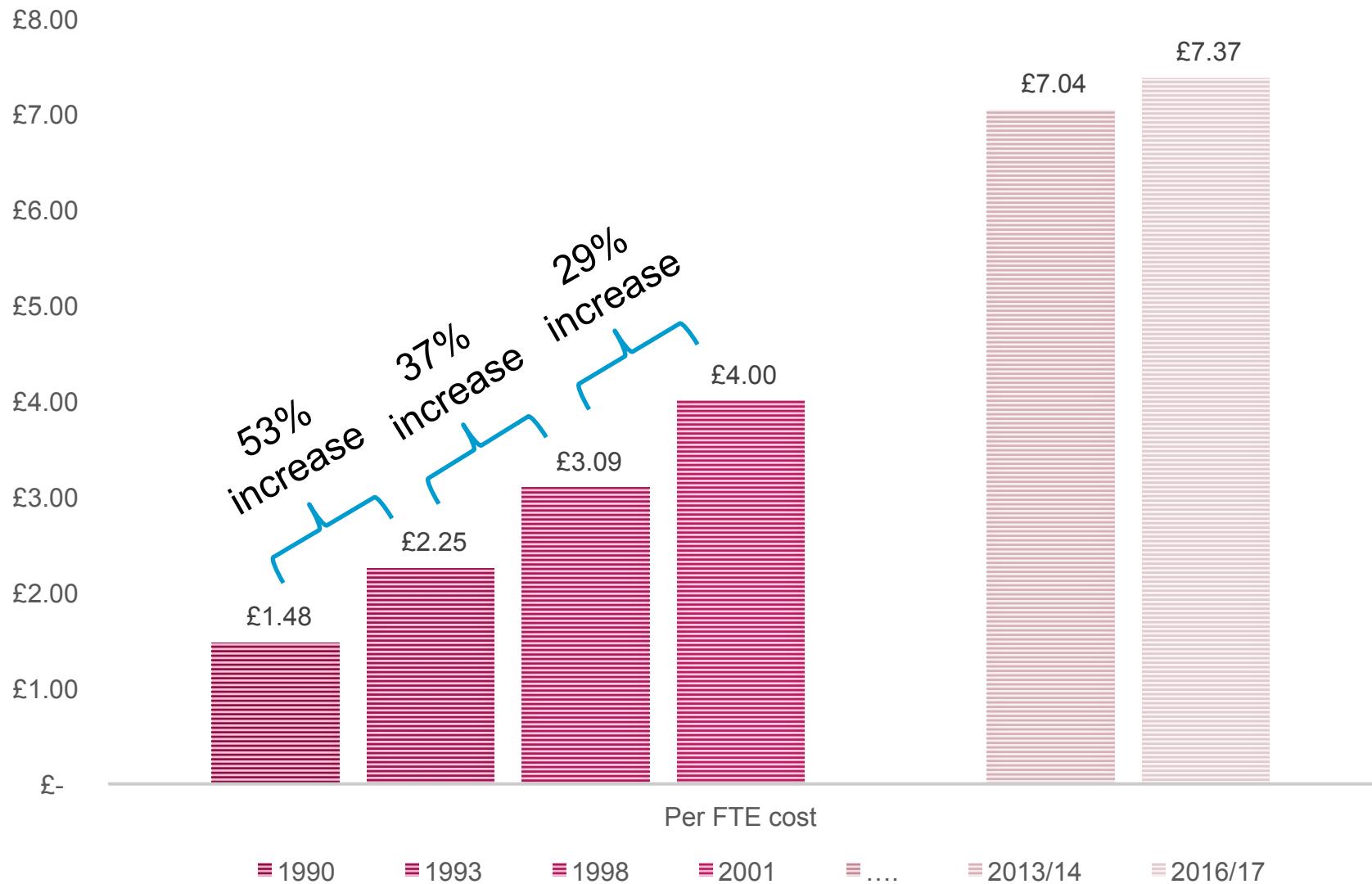
£7.37 per FTES

2.1% increase

Cost of licence for 2016-19

£7.37 per FTE
No RPI increase
2.1% increase
($>2\% <4\%$)

PER FTE COST OF HE LICENCE



Mid-term consolidations

Retention of
excluded readings
until end of
academic year

No need to use
latest edition

What's still on the table

Non Credit
Bearing
courses (NCB)

New products
and services

Sheet music

Arrangement
for low users

Overseas
Campus Based
Students fee

Requirement to
own original

Non Credit Bearing Courses (NCB)

University of Kent
Account Code: [REDACTED]

Dear Mr Morrison

Renewal of CLA Managed Licence(s) August 2016-July 2017

We write to inform you of the Licence arrangements for the period 01 August 2016 to 31 July 2017 and to request/confirm the data which will be used to calculate the CLA Higher Education Licence and the NLA Education Establishment Licence fees.

CLA Higher Education Licence

As you may already be aware, a new set of CLA HE licence terms and conditions will be in effect from 01 August 2016 to July 2019. We have outlined the key changes to the Licence [here](#) but you will also shortly receive an email linking to the new Licence and asking you to review and e-sign it. In order to expedite the renewals process, we also now wish to communicate the rates and data which will inform your subsequent licence fee for this year.

The rates for the CLA HE Licence for 2016-2017, are as follows:

Product	Price (+VAT)
Full Time Equivalent Student (FTES), Distance Learner (DL) and Non Credit Bearing (NCB) FTES	£7.37
Staff FTES - Commercial Research <i>This mirrors the Band A Business rate. This is linked to CPI.</i>	£46.55

In order to process your Licence invoice, we also need to confirm data from the academic year 2014-2015 for 2016-2017 invoicing.

	Product	Total	Price (+VAT)
This data has been obtained from HESA (the Higher Education Statistics Agency)	FTES	[REDACTED]	[REDACTED]
	DLs	[REDACTED]	[REDACTED]
	Staff FTES - Commercial Research	[REDACTED]	[REDACTED]
As part of the new Licence, UUK/Guild HE and CLA have agreed that NCB FTES should be re-counted and declared for this year	NCB FTES	In order to calculate your total NCB FTES divide total NCB contact hours by 300 see here.	-

Other CLA services

- Enhanced Higher Education Supply Service (EHESS)
If you are a current customer of this service, please note a fee change. See [this page](#) for further details.
- Second Extract Permissions Service
If you are a current customer of this service, your institution should have been contacted regarding the changes to the Second Extract Permissions Service agreement. See [this page](#) for more information.

NLA Education Establishment Licence

The following information and table should be read in conjunction with the documents available on our dedicated [NLA Education Establishment Licence page](#), particularly the [Price List and Guidance document](#).

The Licence Terms and Conditions from August 2016 have been amended so that clause 9.3, regarding the 28 day deletion of Digital Copies, has been removed. It should be noted that clause 4.4 has been added, outlining that the creation of a library/archive is not permitted. Please also note that there is a price increase on the foreign element of any Digital Additional Cover, detailed in the Price List & Guidance.

Non Credit Bearing Courses (NCB)

University of Kent
Account Code: [REDACTED]

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NCB FTES

In order to calculate your total NCB FTES divide total NCB contact hours by 300 [see here.](#)

Product	Total	Price (+VAT)
FTES	[REDACTED]	[REDACTED]
DIs	[REDACTED]	[REDACTED]
Staff FTES - Commercial Research	[REDACTED]	[REDACTED]
NCB FTES	In order to calculate your total NCB FTES divide total NCB contact hours by 300 see here.	-

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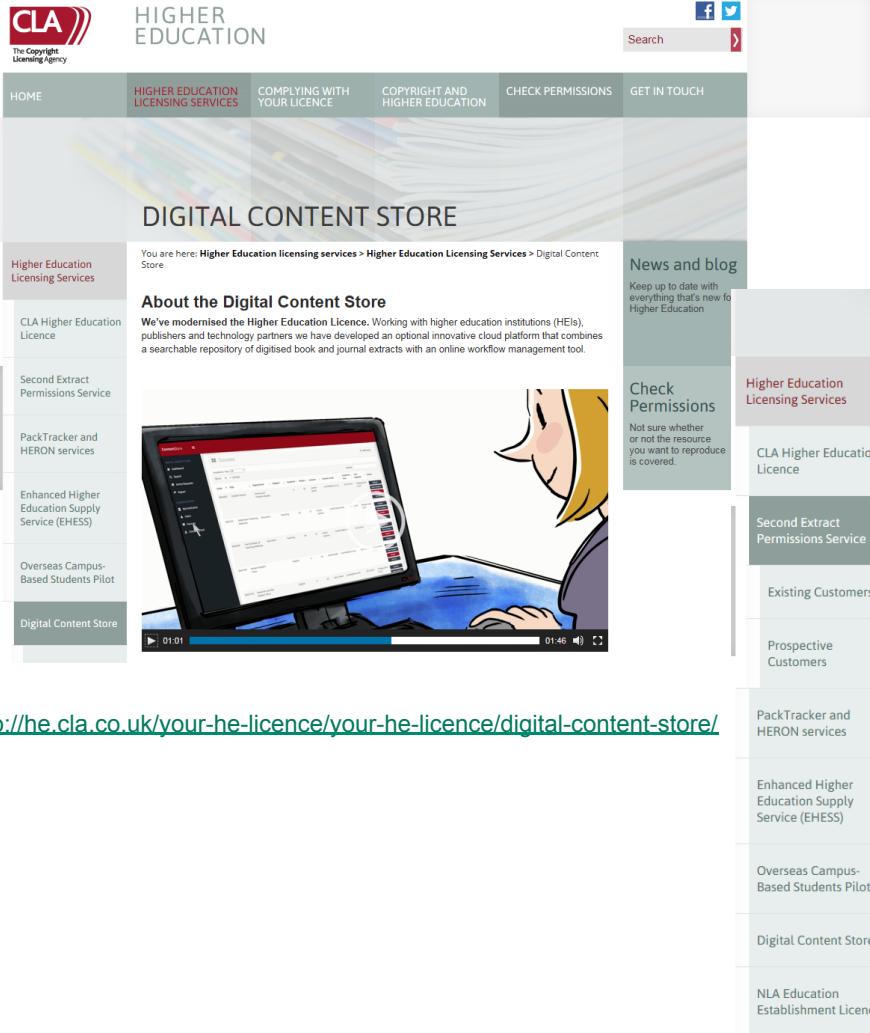
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Non Credit Bearing Courses (NCB)

Notes

1. The NCB figures you provide should reflect the participation of each student on any type of course or module you deliver that is **not** included in your annual return to HESA (in either the Student Record or in the Aggregate Offshore Return) for students on credit bearing courses.
2. Examples of Non Credit Bearing courses include 'Courses for the Public', Continuing Professional Development, (CPD), Executive Short Courses etc.
3. The sum total Contact Hours should reflect each student's participation in each Non Credit Bearing course delivered – notwithstanding that an individual student might be enrolled on both a credit and on a Non Credit Bearing course.
4. Where an individual student is enrolled on more than one NCB course, the sum total headcount should reflect participation on each course (i.e. same student takes two NCB modules counts as 2)
5. Estimated figures should not be provided.
6. For the purpose of your licence fee calculation, the FTES-based figure is derived by dividing the total NCB contact hours by 300.

Other CLA services



The screenshot shows the CLA Higher Education Licensing Services website. The top navigation bar includes links for Home, Higher Education Licensing Services (which is the active page), Complying with Your Licence, Copyright and Higher Education, Check Permissions, and Get in Touch. The main content area is titled 'DIGITAL CONTENT STORE'. It features a sidebar with links to various services: Higher Education Licensing Services, CLA Higher Education Licence, Second Extract Permissions Service, PackTracker and HERON services, Enhanced Higher Education Supply Service (EHESS), Overseas Campus-Based Students Pilot, and Digital Content Store (which is the active page). The main content area contains a heading 'About the Digital Content Store', a brief description, and a video player showing a person using a computer interface. To the right of the video is a 'News and blog' section and a 'Check Permissions' section.

<http://he.cla.co.uk/your-he-licence/your-he-licence/digital-content-store/>

SECOND EXTRACT PERMISSIONS SERVICE

You are here: Higher Education licensing services > Higher Education Licensing Services > Second Extract Permissions Service

A TIME-SAVING SERVICE FOR OUR CUSTOMERS

If you wish to copy beyond the limits of the Licence, why not follow the steps below to find out more about our Second Extract Permissions Service.



We have found the CLA Second Extracts Permission Service very easy to use. The 'traffic light' system clearly shows whether a second extract is available and it is useful to be able to check the price before committing to the purchase."

– Sharon Cocker, Learning Resources Section, University Library, University of Sheffield

What is the Second Extract Permissions Service?

Currently, with a CLA Higher Education Licence a university can copy a limited extract from a published work – the 'first extract' – e.g. a single chapter from a book or 5%.

The Second Extract Permissions Service is a new service that offers universities the option to buy permission to copy and use an additional amount – a 'second extract' – e.g. another chapter from the book or another 5%.

Up to now, additional permissions such as this were available via often costly third-party agents or by dealing with the publisher directly which can be a time-consuming process with uncertain results. We have worked with rightsholders to be able to offer this streamlined service that helps university staff to use additional content as and when they need it.

Now we have made the Service even better

We are delighted to announce that subject to the successful conclusion of the trial period in August 2016 we have been able to make some further improvements to the Service.

- Service to continue following end of trial period
- Extent limits to increase from 5% to 10% of the publication
- Existing customers will need to re-sign for the new service

<http://he.cla.co.uk/your-he-licence/your-he-licence/second-extract-permissions-service/>

CLA Licence 2016

HE Requests	CLA Response
<p>Increased Extent Limits</p> <ul style="list-style-type: none"> • 15% or one chapter from a book whichever is the greater;; • 15% or two articles from a journal issue (especially where they are on the same subject), whichever is greater. • for anthologies, poems and short stories • Greater limits for out of print or hard to obtain publications 	<ul style="list-style-type: none"> • Maximum of 10% or.....whichever is the greater for all publications. • Publishers not prepared to increase number of articles, the 10 page limit or limit for copying out of print or rare publications at this time, but CLA will continue to negotiate
Reduction in the licence fee.	£0.15 per FTE fee increase agreed based on improvements to the licence (approx. 2.1%).
No RPI or CPI annual increase over the term of the licence or at all.	Agreed no RPI or CPI annual increases (which varied from 2-4% p.a).
Flexible pricing models for low users.	CLA and HE DCRWG continue to meet to explore solutions.
Repertoire to be better aligned (pbk/hbk – print/digi)	CLA will continue to negotiate new mandates with Rightsowners.
Remove the requirement to own print items and allow copying from Library ILL 's or other legitimate source.	No agreement this time.
Remove the requirement for assigning designated person roles.	Assignment of designated persons no longer required (although all staff scanning under the licence must be trained in and agree compliance with the licence terms and requirements).
Remove the requirement to retain course readings for the duration of a course of study (e.g. module) only.	Course reading may be retained/available for the duration of the course/degree programme.