

# User Guidelines



Higher  
Education  
Licence

1 August 2016 – 31 July 2019



The Copyright  
Licensing Agency



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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](https://www.he.cla.co.uk).

These Guidelines have been drafted by CLA (in conjunction with UUK and GuildHE) to help provide a 'plain English' guide to the Licence for those HEIs that have signed up, and, briefly, to other products that we offer, with links to further resources. They are mainly for anyone who creates course materials, such as library and e-learning staff, graduate trainees, academics and course administrators; if you are an academic, you may also like to have a look at our [role-specific guidance](#).

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These guidelines are provided for guidance only. Please note that they do not substitute for the terms and conditions of the Licence, and that, in the event of a conflict between the two, the Licence prevails.



# Quick Start Guide

## What can I copy?

Text and still images from most printed books, journals and magazines published in the UK and many published overseas, plus many digital publications.

You can check whether a publication is covered by using our **Check Permissions** tool: [www.he.cla.co.uk/check-permissions](http://www.he.cla.co.uk/check-permissions)

## Who can I make copies for?

Registered students and members of staff, in connection with a specific course or module.

## Can anyone at my HEI copy under the Licence?

Any member of staff can copy under the Licence – but some HEIs do restrict the making of digital copies to certain members of staff. It depends how your HEI has decided to best manage its obligations under the Licence. If you are not sure, please contact your CLA Licence Co-ordinator or Copyright Advisor.



## How much can I copy?

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

1

- 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

10%

of the total publication

**Whichever is the greater**



## Background and context

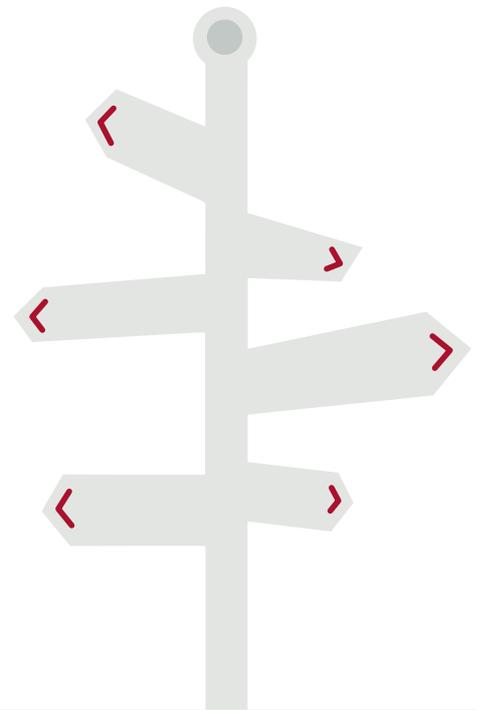
CLA has a mandate from publishers, authors and visual artists to offer collective licences on their behalf.

The CLA HE Licence is intended to broaden and enrich the student learning experience, by allowing HEIs to provide wider access to copyright materials than would otherwise be possible. In parallel, it enables publishers, authors and visual artists to be remunerated for the use of their work. The terms and conditions are carefully negotiated between CLA and Universities UK/GuildHE, but the Licence is available to all UK HEIs, including those funded entirely through private means.



While the Licence offers valuable benefits, it should be viewed in the wider context of copyright in the UK. Certain exceptions to copyright do apply. Although these do not negate the need for an HEI to take the Licence in the vast majority of cases, we advise you to be aware of the rights they confer. HEIs must make their own decision on the interaction between the Licence and exceptions. We advise you to contact your Copyright Advisor for further information; alternatively, the Intellectual Property Office (IPO) publishes comprehensive guidance on exceptions which are available at: [www.gov.uk/guidance/exceptions-to-copyright](http://www.gov.uk/guidance/exceptions-to-copyright)

Additionally, the Licence doesn't prevent your HEI from securing direct permissions – whether that be from a publisher (ad hoc or via a primary licence) or via our **Second Extract Permissions Service**. You might, for example, want to purchase permission to copy in excess of 10% of a publication, or to copy from a publication that isn't covered by the Licence. In the same way, where a publication comes with an automatic licence to copy from the publisher (e.g. a website that is both free-to-view and free-to-copy), you can of course utilise this – subject to any specific terms and conditions. (See also 'How does the CLA Licence fit with primary licences?' on page 18.)





# Responsibilities of CLA and Higher Education Institutions

On this page we outline the relevant responsibilities for both CLA and HEIs. For further details on these please see our **Code of Conduct**, which also provides other useful information about what we do and how we work.

## CLA

CLA has a range of commitments both to HEIs and to publishers, authors and visual creators, including the following.

- We collect and validate copying data (to inform royalty distributions to publishers, authors and visual creators).
- We publish clear and transparent information regarding our licences including fees.
- We publish guidance and advice on the Licence and related areas.
- We welcome ad hoc enquiries regarding the Licence, and have a dedicated team to ensure answers are provided clearly and quickly. Our Code of Conduct outlines the response times we have undertaken to meet.
- In all our dealings with all HEIs – whether in person or remotely – we will be professional, courteous, consistent, knowledgeable and helpful.
- We undertake to indemnify HEIs against legal claims where they have been acting in accordance with the Licence terms and conditions – for further information, please see Clause 12.

Please note that we cannot provide legal advice. HEIs requiring legal advice should seek this independently. You may also find it useful to consult the guidance published by the Intellectual Property Office (IPO) at [www.gov.uk/topic/intellectual-property/copyright](http://www.gov.uk/topic/intellectual-property/copyright)

## Higher Education Institutions

HEIs holding the Licence undertake to do the following, all of which are set out in our terms and conditions.

- Observe the terms and conditions of the Licence, communicating to all staff (particularly anyone involved in the creation of course materials) their HEI's obligations under the Licence – for example, within an overall Copyright Policy.

- Pay their Licence fees on time.
- Ensure they declare accurate data to us, e.g. for invoicing.
- Co-operate with us if selected for a Royalties Data Collection Exercise or Audit (there is more information about these on pages 17 and 19).

The allocation of overall responsibility for the Licence at your HEI is an institutional decision, although it tends to fall within the remit of the Library. Whatever arrangements are in place, it is essential that they have the active support of senior management, and we believe it's preferable (though not essential) that they are documented within institutional policy.

## Licence Co-ordinator

To ensure smooth administration and act as a central point of contact, we also ask each HEI to nominate a CLA Licence Co-ordinator. We will address all official communication to this person (unless you indicate otherwise – for example, if you would like your invoices to be sent direct to your Finance Department). The precise responsibilities of your Licence Co-ordinator will depend on the way your HEI is organised, but some examples might be:

- Ensuring that Digital Copies are reported to CLA.
- Liaising with CLA Education Team staff over the organisation of an Audit, if and when necessary.
- Liaising with CLA Operations Team staff over the organisation of a Royalties Data Collection Exercise, if and when required.

Please remember to tell us if your Licence Co-ordinator changes!



## Can I make copies under the CLA HE Licence?

Under the Licence, all members of staff can make copies. This includes honorary members of staff, such as Emeritus Professors, and visiting academics.

However, many HEIs do restrict the making of digital copies to certain members of staff. It depends how your HEI has decided to best manage its obligations under the Licence. If you are not sure, please contact your CLA Licence Co-ordinator or Copyright Advisor. Copies must be made in the UK.

The making of copies (both paper and digital) can also be outsourced – for example, the making of digital copies is one of the options offered by the British Library via **EHESS**. But remember, the ultimate responsibility for abiding by the terms and conditions of the Licence remains with your HEI.



## Who can I make copies for?

You can copy for **Course Users** – that is, students taking a particular course plus any staff teaching it. **Student Course Users** can be any of the following enrolled at your HEI.

|   |  |
|---|--|
| <b>UK campus-based students</b>           | This category constitutes the main body of students for many, but not all, HEIs. It covers any student based on a campus in the UK taking a credit-bearing course, both undergraduate and taught postgraduate. If your HEI is a member of UUK or GuildHE, all such students must be declared to HESA.  |
| <b>Distance Learners</b>                  | Students studying away from your premises – either in the UK or overseas – who have no (or minimal) direct contact hours. If your HEI is a member of UUK or GuildHE, they must be declared to HESA. This category doesn't include Overseas Campus-Based Students – see below.  |
| <b>Non Credit Bearing students (NCBs)</b> | These are students taking a course that doesn't lead to a qualification or institutional credit (for example, a professional development course, summer school or course run by a Centre for Lifelong Learning), and who if your HEI is a UUK/GuildHE member – aren't declared to HESA. Staff can be NCBs if they are also enrolled as students at your HEI. |

You can also make copies for the following:

|   |   |
|---|---|
| <b>Commercial Research/Consultancy (UUK/GuildHE members only)</b> | For example, a contract or collaborative research project or consultancy. You can make these copies available to members of your HEI's research team and to a third-party organisation wholly (or partly) funding the research. Members of staff engaged in commercial research/consultancy must be declared to HESA. You can read more in our guide to Commercial Research/Consultancy – available soon. |
| <b>Staff of regulatory agencies</b>                               | For example, the Quality Assurance Agency. Copies can only be made in connection with work that such agencies undertake at your HEI.  |

### Overseas campus-based students

These are students registered with your HEI but based at a campus overseas – either at a branch campus or the campus of a partner institution. Your HEI can elect to have some or all of its **Overseas Campus-Based Students** covered via an optional add-on.

For more information, including details of criteria for coverage and fees, please see the **Overseas Campus-Based Students** section of our website.

### Further information

To read more about these student types and how we charge for them, please see our **Guide to Student Data and Fees**.



## Types of copying

The Licence enables you to make paper copies and digital copies:

|                            |  |
|----------------------------|--|
| <b>Paper copies are:</b>   | <ul style="list-style-type: none"><li>• Photocopies of extracts from printed books, journals, periodicals, magazines, law reports and conference proceedings.</li><li>• Printouts of extracts from digital publications.</li></ul> |
| <b>Digital copies are:</b> | <ul style="list-style-type: none"><li>• Scanned extracts from printed books, journals, periodicals, magazines, law reports and conference proceedings.</li><li>• Extracts copied from digital publications.</li></ul>              |



## Moral rights and adaptation of extracts (integrity)

A copy made under the Licence should be of good quality – an authentic representation of the original extract.

### Moral rights

Moral rights are enshrined in copyright law, and include the following on behalf of authors and visual creators):

- the right to be identified as the author (or visual creator) of a work;
- the right not to have their work misrepresented;
- the right not to have a work that they did not create falsely accredited to them;
- the right to object to derogatory treatment of their work.

### Adaptation of extracts

You can adapt extracts (e.g. shorten/annotate them), but any adaptation must be entirely for pedagogical purposes and not detrimental to the moral rights of the author and/or visual creator. No other alteration or manipulation is permitted. Please note the following:

- Adaptations should include an indication that the extract has been altered – e.g., for an English Literature course, 'Please review this extract which has been adapted from [Title] by [Author]'.

- You can abbreviate or shorten the text of an extract, provided any omissions are clearly marked and don't affect the meaning or sense of the text in any way that might affect the author's moral rights. For example, you can blank out parts of a text, or translate some of the words from/into English or another language, for the purposes of asking students questions about it.
- You can add annotations to copies, e.g. in the form of a commentary, and annotate an image by adding some narrative text/commentary. As noted on page 13, you can produce a copy of an image stripped of its accompanying text. You can also synchronise text and/or images otherwise separated by the layout of the source.



# Processes for digital copying

If you're making digital copies, or making them available, make sure that you're familiar with this section.

## How can I store digital copies and make them available?

It's important to ensure that digital copies aren't accessible to anyone outside your HEI, by making them available via a secure, password-protected network – usually your VLE. Storage must also be secure – either via your VLE or another secure environment, such as our Digital Content Store (see page 19) or other secure third party repository. You can store and make available digital copies for the full duration of a student's degree programme.

Where possible, you should place digital copies in secure, course-specific collections. All staff and students at your HEI are entitled to view digital copies, but only 'course users' (those students taking the course in question, and those staff teaching it) are additionally entitled to download and print. If it's impractical to lock down access in this way, that's fine, so long as a Copyright Notice (see right) is in place; we'd also advise adding some extra wording to the effect that the digital copy 'should not be downloaded or printed out by anyone other than a student enrolled on the named course or a member of staff teaching it'.

Many HEIs cite digital copies in an online reading list, providing hyperlinks via their VLE, and this is permitted under the Licence.

### You can also do the following:



Where necessary, send a digital copy to a course user by sending it to his/her secure e-mail address as an attachment.



Use digital copies in the lecture theatre or classroom with a digital whiteboard/projector and presentation software to illustrate a lecture or tutorial (provided that only Course Users are attending).



Distribute digital copies on USB sticks (and other removable/portable storage media), provided that one copy only is delivered to each Course User.

## Copyright Notice

Every digital copy must include some kind of Copyright Notice.

CLA's Copyright Notice (sometimes referred to as a coversheet) is set out in a Schedule to the Licence terms and conditions, and ensures all the relevant credits are listed as well as including clear information regarding Licence compliance for staff and students.

If a digital copy already incorporates a publisher's copyright notice, that includes the title, creator and publisher of the work, you don't have to add a further copyright notice – unless you want to do so to help ensure Licence compliance (e.g. to advise non course users that they shouldn't download or print out where there is no technical means to stop them doing so – see left).

Sometimes, it might be impractical to display the full text of CLA's Copyright Notice – e.g. within the main body of a Powerpoint presentation. In these cases, you can use an abbreviated form, e.g. 'Copied under CLA Licence – please refer to the full Copyright Notice', so long as the full Copyright Notice is available elsewhere.

## Reporting and managing digital copies

The main thing to bear in mind is that any digital copies you make are subject to cyclical reporting arrangements agreed between CLA and UUK/GuildHE (see also the section on Royalties Data Collection on page 17).

However, our Guide to Reporting and Managing Digital Copies (available shortly) outlines all of your HEI's obligations in this area.



# What can I copy?

## Quick Guide

You can copy text and still images from:

### Print Publications

Owned by your HEI (there is more information about this on page 16)

- Journals & periodicals
- Conference proceedings
- Books
- Magazines
- Law reports

Most that are published in the UK plus many published overseas

**Check coverage:**

### Digital Publications

Owned or subscribed to by your HEI (unless already free-to-view)

- E-books
- E-journals
- Some websites

Titles from participating digital material publishers and many from overseas

**Check coverage:**

You can use our **Check Permissions** tool to check whether a publication is covered by the Licence.

### How much can I copy?

For each course of study the following amount can be copied:

1

- 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

10%

of the total publication

**Whichever is the greater**

Where a digital publication is not organised in a similar way to a conventional printed item, please exercise your best judgement to copy reasonable extracts.



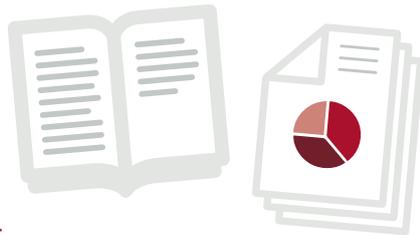
# What can I copy?

## Check Permissions

Our Check Permissions tool enables you to check whether a publication is covered by the Licence. Available for desktop and as a mobile app, you can find it at [www.he.cla.co.uk/check-permissions](http://www.he.cla.co.uk/check-permissions). FAQs and search tips are also available here, but if you have any further questions please contact us at: [permissions@cla.co.uk](mailto:permissions@cla.co.uk).

You might also find the following information useful.

The screenshot shows the 'Check Permissions' tool interface. At the top, it displays the title '1. JUSTICE' and the following details: ISBN: 9781846142130, Contributor: Sandel, Michael, Publication Type: Book, Publication Form: Print, Publisher: Penguin Books Limited, and Country of Publication: United Kingdom of Great Britain & N. Ireland. Below this, there is a dropdown menu for 'Check Permissions by:' set to 'Higher Education' and a 'Show Permissions' button. Underneath, the 'View licence usage:' section lists three items: 'Photocopying' with a green checkmark and a 'Show details' dropdown; 'Scanning' with a green checkmark and a 'Show details' dropdown; and 'Second extract permissions' with a green document icon, a 'Purchase' button, and a 'Show details' dropdown.

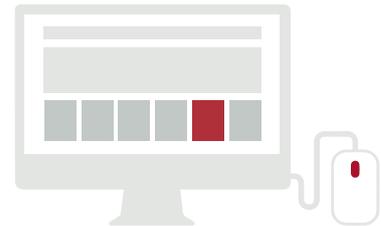


## Print

All **printed** books, journals, magazines, law reports and conference proceedings published in the UK are covered by the Licence, unless they have been specifically excluded.

For printed books, journals, magazines, law reports and conference proceedings published outside the UK, many are covered – but it depends on whether we have a reciprocal repertoire agreement in place and/or a direct international mandate with the relevant publisher. Individual exclusions can still apply.

If you want to scan from a US-published title and we don't hold a direct international mandate from the publisher, take particular care, as these are treated differently: they must be specifically opted-in for scanning.



## Digital

Many **digital** publications are also covered.

Digital titles published overseas usually need to be specifically opted in, although some of our reciprocal repertoire agreements include all digital titles published in that country unless they've been specifically excluded. We also have global mandates that include digital titles.

You can check Licence coverage quickly and easily using **Check Permissions**

We contact CLA Licence Co-ordinators on a quarterly basis with details of any new exclusions, digital opt-ins, and direct international mandates.

## What should I do if a work from which I've copied becomes excluded?

Any digital copies should be deleted within one month of notification from us; however, if any of these digital copies are still being used for a course

at the time of notification, you can retain them until the end of the academic year (see also 'Reporting and managing digital copies' on page 10).



# What can I copy?

## 1. More about overseas publications

The Licence includes many overseas publications. You can use Check Permissions to find out whether or not an overseas publication is covered by the Licence. Where it is covered, it will be due to at least one of the following arrangements.

- We have a reciprocal agreement with an organisation similar to CLA overseas.
- We have an international mandate direct from the relevant publisher. (In these cases, Check Permissions shows the title as being published in the UK, which is linked to royalty payment arrangements.)

You can read more about overseas publications on the **International** page of our website.



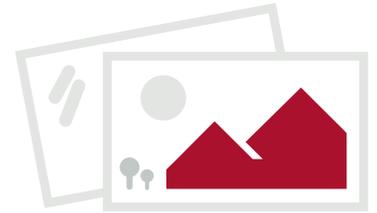
## 2. Special note – print titles published in the USA

This note refers to US print titles where we don't have an international mandate direct from the publisher, and where licensing is granted through our agreement with the Copyright Clearance Center (CCC).

If you want to scan from such a title, you should first check whether there is already a suitable digital version commercially available – and if there is, purchase or subscribe to this version instead of scanning from print. This requirement is due to the nature of our agreement with CCC, which in turn reflects CCC's mandate from US publishers.

Affected titles can be identified on Check Permissions, which lists 'USA' as the country of publication in each case. (If we have an international mandate direct from the publisher, the country of publication will be listed as 'UK' – see above).

If a US title is not found by Check Permissions, please check your source copy for the place of publication. If you're not sure, please contact us at: [permissions@cla.co.uk](mailto:permissions@cla.co.uk).



## 3. Images

You can copy images from publications that are covered by the Licence, by:

- preparing a copy of a whole-page visual image; or
- extracting a part-page visual image, from a page that may also include text and other images (this process is often referred to as 'disembedding').

As noted on page 6, some exceptions to copyright law do exist, and you might want familiarise yourself with how these affect the educational use of images. Contact your copyright advisor or visit: [www.gov.uk/guidance/exceptions-to-copyright](http://www.gov.uk/guidance/exceptions-to-copyright)

Digital copies of, or which include, images made under the Licence should be reported to us in the usual way (see 'Royalties Data Collection' on page 17).

## 4. Editions

You can copy from any edition of a published work. However, remember that the Licence **doesn't** permit you to copy more than 10% (or one chapter, article, etc) across different editions of the same publication.



# What can I copy?

## Excluded Categories

Remember that **none of the following** are covered by the CLA Licence.



### Printed music (including the words)

Works that consist entirely of printed music notation/lyrics and printed music notation/lyrics included within a book, journal, periodical, magazine, law report or set of conference proceedings. For more information, please see the **Printed Music** section on the Music Publishers Association's website.



### Maps and charts

Works that consist entirely of maps/charts and maps/charts included within a book, journal, periodical, magazine, law report or set of conference proceedings. By 'charts' we mean charts that are similar to maps, e.g. sea charts, weather charts and hydrographic charts (other types of charts – e.g. pie charts and flow charts – are covered by the Licence).

Information about the licensing of Ordnance Survey products can be found at:

[www.ordnancesurvey.co.uk](http://www.ordnancesurvey.co.uk).



### Newspapers

NLA media access ('NLA') licenses copying from newspapers. We are the exclusive agent for NLA's UK education licensing – further information can be found on **NLA section** of our HE website.



### 'Copying not permitted under CLA Licence'

Any publication which includes a notice expressly stipulating that it may not be copied under a CLA Licence. This would normally appear at the front of a publication along with the name of the publisher and the general copyright notice.



### Workbooks, workcards and assignment sheets

Publications intended for a student to write on and for once-only use.



# How much can I copy?

We've set out how much of a publication you can copy on page 11 – but there are a few other things to bear in mind as well.

## 1

### If you're copying under the 'one chapter or article' provision:

- If a book is subdivided into parts or sections that, while not actually called chapters, are demonstrably equivalent to a chapter-based organisation of topics, you can copy the whole part or section as for a chapter.
- If notes and/or references integral to a specific chapter or article are given at the end of a book or journal etc, they can be treated as part of that chapter or article.

## 2

### If you're copying under the '10%' provision:

- The easiest way to calculate 10% of a total publication is by number of pages.
- Count the whole of the publication from start to finish, including items such as index and bibliography. You don't need to worry if, for example, any of the pages in the publication are blank – they all count towards the total pagination.
- If the extract you want to copy includes substantial white spaces or advertisements, you are free to omit these for the purpose of calculating 10%.
- If two chapters or articles comprise less than 10% of the total publication, you can copy both.

## 3

### General

- You can't copy more than the named limits for a particular course by copying incrementally – e.g. making 10% of a publication available for two weeks of the course only and then a further 10% for the following two weeks.
- Remember that the Licence doesn't permit you to copy more than 10% (or one chapter, article, etc) across different editions of the same publication.
- You can make as many paper copies of an extract as you need to ensure that each student taking the relevant course, and each member of staff teaching it, has access to a copy.
- There's no limit on the number of times a digital copy can be opened and viewed on screen.
- Be aware that the Licence isn't intended to substitute for the purchase of original material (a concept that is sometimes referred to as 'Textbook Substitution'. This could occur if a particular combination of copies made under the Licence (usually made available within a course pack) had an adverse impact on a decision to purchase the original publication. An example scenario could be where a student could pass his or her course by using copies made under the CLA Licence only and without any further reading. We've worked with UUK and GuildHE to publish a **Good Practice Guide in the creation of course packs**, and advise anyone involved in the creation of course materials to familiarise themselves with it.



## Source copies

The Licence states (Clause 3.2) that, with the exception of any material that is free-to-view, an HEI must own or subscribe to the publication from which they wish to copy. Please read on for more information about this.



### Can be used as source copies

- ✓ Publications owned or subscribed to by your HEI.
- ✓ Copyright fee paid copies (see page 16).
- ✓ Print publications that are owned by your HEI but not necessarily purchased – e.g. acquired as donations or via bequests.



### Can't be used as source copies

- ✗ Publications not owned or subscribed to by your HEI. This includes publications purchased or subscribed to by an individual member of staff, apart from under exceptional circumstances (e.g. the publication is very old, and no longer available to purchase, including on the second-hand market).
- ✗ Publications borrowed on inter-library loan (either from the British Library or from another library, including HE, FE and NHS libraries).
- ✗ Library privilege copies acquired from other libraries, including the British Library. These can only be used in accordance with the 'library privilege' exception, i.e. as a single copy for a UK-based library user for private study or non-commercial research – but for further information see the IPO's guidance on exceptions at [www.gov.uk/guidance/exceptions-to-copyright](http://www.gov.uk/guidance/exceptions-to-copyright) or contact your institutional copyright advisor.

#### Please note:

- Print publications owned or subscribed to by your HEI don't necessarily need to be catalogued and/or held in your main library collection (though this is generally more practical).
- If a print publication is lost, stolen or damaged, or is disposed of (e.g. as part of stock management policy) after a copy has been made from it, you can continue to use that copy under the Licence – but you might want to keep a record of it if this situation arises. Decisions on whether or not to replace lost, stolen, damaged or removed publications shouldn't be influenced by the existence of such copies.

### Copyright fee paid copies

- If your HEI doesn't own or subscribe to the source publication, you can purchase a copyright fee paid copy of the relevant extract and then use this as a source copy under the Licence. Copyright fee paid copies are available from organisations that hold licences enabling them to do this – for example the British Library, which is the largest document supplier in the UK and offers this option as part of the joint CLA/British Library **Enhanced Higher Education Scanning Service ('EHES')**.
- The copyright fee that your HEI pays is passed on to the relevant publisher; once you've purchased a copyright fee paid copy, you should treat it in the same way as you would a publication that you'd purchased in the traditional sense.
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## Royalties Data Collection

We collect copying data across all sectors to help inform the accurate re-distribution of Licence fees to publishers, authors and visual creators.

You can find out more about this at [www.royalties.cla.co.uk](http://www.royalties.cla.co.uk). If you are an author but not a member of the **Authors' Licensing and Collecting Society (ALCS)**, you may want to explore the benefits of membership to ensure you receive royalties that are due to you.

For HEIs, we collect copying data as follows:

- Paper copies – via royalty data collection exercises. These exercises are carried out by prior arrangement at 18 HEIs each year – nine in the Autumn Term and nine in the Spring Term.
- Digital copies – via our annual programme of reporting agreed with UUK/GuildHE. Please see our Guide to Reporting and Managing Digital Copies for details. CLA has also recently launched a 'Third Party Technology Providers' (TPTP) licence which will enable licensed technology providers to remove the Licence's reporting burden for their HEI customers as well. HEIs not using the DCS or an appropriate platform provided by a licensed TPTP will however need to continue to annually report, "weed" and manage Digital Copies as normal.



## Collaborative Arrangements

### Shared library facilities

If your HEI shares library facilities with a partner organisation – e.g. another HEI, a local college of Further Education, or an NHS Trust – it's important to ensure that any publications you use as source copies under the Licence are owned by your HEI and not by the partner organisation. Conversely, a partner organisation cannot use publications owned by your HEI as source copies under their respective CLA Licence.

### NHS crossover

If your HEI operates a medical library service on behalf of or jointly with a local NHS Trust, either on your own premises or that of the Trust, you can also provide copies to staff of that Trust. For full details, please see the **NHS Licences section** of our main website.

### Sharing of copies

You can supply a digital copy to another CLA-licensed HE or FE institution – or receive a digital copy from another CLA-licensed HE or FE institution – provided that both institutions own or subscribe to the source publication. If you receive a digital copy under this arrangement, you must treat it as if made by your HEI. Please note that you and/or another licensed HEI (or licensed FEI) can't create a central repository of digital copies. Our Digital Content Store (see page 19) helps to facilitate the sharing of copies between licensed HEIs.



## How does the CLA Licence fit with primary licences?

The Licence is intended to complement primary (or subscription) licences that come with digital publications (including those issued by e-book platforms) and JISC model licences such as NESLi.

If you want to make copies from a digital publication, you can do this either under the primary licence or the CLA Licence, subject to the terms and conditions of the specific licence.

If the CLA Licence is more generous than the primary licence, that's fine – provided you

don't override or circumvent any digital rights management (DRM) protocols embedded within a product. You're free to make a digital copy by a variety of means (provided again that you don't override or circumvent any DRM protocols) – including, for example, by copying and pasting, or by copying one page at a time (including into a different format). You can also print out copies from a digital product and then scan these under the Licence, if you wish to.



## Accessible copies for print disabled staff and students

As noted on page 6, there are exceptions in place for certain scenarios – including the making of copies for people with a disability (including visual impairment conditions such as dyslexia) that affects their ability to read and/or access content. Detailed information is available about this exception at [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/375952/Accessible\\_formats\\_for\\_disabled\\_people.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/375952/Accessible_formats_for_disabled_people.pdf)

Additionally, there is still the option to make accessible copies (both paper and digital) using the Licence rather than the exception – whether single copies, or, if appropriate (e.g. a group of students with very similar accessibility needs), multiple copies.

If you choose to make accessible copies under the Licence, please note the following:

- An accessible copy can only be made for a specific student or member of staff with a print disability.
- The source publication must be covered by the Licence (you can use *Check Permissions* to find out – see page 12).
- Your HEI must own or subscribe to the source publication (where appropriate: accessible copies can also be made from content accessed via a free-to-view website).

- The source publication must not be commercially available in an alternative format that is suitable for your needs (it might already be available, or might be available on request). Suitability here is determined by the needs of the person for whom it is intended – for example, a large print version wouldn't be suitable for someone who is registered as blind.
- You can copy any amount of a work, up to the entire publication.
- You can use techniques designed to make content accessible by those with a print disability, including type size enlargement/reduction, alternative fonts, colour adjustment (background or font) and left/right justification.
- You'll need to include on the copy a statement that it's a copy of the original work made under a CLA Licence for the personal use of a print disabled person and that it may not be further copied or distributed.
- If necessary (e.g. the relevant print disabled person has difficulty using screen reader software), you can generate an audio file containing the spoken words from an accessible digital copy that you've made.
- You don't need to report to us any accessible copies made under the Licence.



## Audits

We run a programme of Audits, whereby we visit HEIs from time to time to help ensure compliance with the Licence.

The priority of an Audit is for us to determine that Digital Copies are being prepared and distributed in accordance with the terms and conditions of the Licence; however, it is not limited to this aspect and extends to promoting compliance with all terms and conditions (including the making of photocopies and the making of printouts from Digital Material).

Audits help to assure us and our rights holders that the terms and conditions of the Licence are understood and being correctly implemented. While an audit may flag up areas of risk, it is also an opportunity for you to ask questions you may have about the Licence and for us to provide further advice.

Please see the **Audit** guidance on our website for more details.



## Digital Content Store

Our Digital Content Store (DCS) is an optional digitisation management tool. At its core is a repository of PDF extracts created by HEIs under the CLA HE Licence. For those HEIs that choose to use the DCS, the platform will streamline content and permissions workflows – as well as automating the Licence reporting process and requirements checks mentioned on pages 10 and 17.

CLA has also recently launched a 'Third Party Technology Providers' (TPTP) licence which will

enable licensed technology providers to remove the Licence's reporting burden for their HEI customers as well. HEIs not using the DCS or an appropriate platform provided by a licensed TPTP will however need to continue to annually report, "weed" and manage Digital Copies as normal.

For more information, please visit:

[www.he.cla.co.uk/your-he-licence/your-he-licence/digital-content-store/](http://www.he.cla.co.uk/your-he-licence/your-he-licence/digital-content-store/)



## Second Extract Permissions Service

Our Second Extract Permissions Service offers HEIs the option to buy permission to copy and use an additional amount – a 'second extract' – e.g. a further chapter or a further 10%.

For more information, please visit:

[www.he.cla.co.uk/your-he-licence/your-he-licence/second-extract-permissions-service/](http://www.he.cla.co.uk/your-he-licence/your-he-licence/second-extract-permissions-service/)



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