



## Copyright and course materials on the VLE

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QG GEN024 [https://www.abdn.ac.uk/library/documents/guides/qggen024.pdf]

### The VLE

You need to consider how you use third-party material in your teaching as it is likely to be protected by copyright.

This guide covers how to share this material with students on the university's Virtual Learning Environment (VLE), including MyAberdeen, MyMBchB, MyBDS etc., whilst complying with copyright law and licensing requirements.

### Copyright

UK copyright law is set out in the amended [Copyright, Designs and Patents Act, 1988](#).

Copyright protects original creative works, including books, articles, images, music, and films, for a limited duration. In the UK this is up to 70 years after the death of the original creator. The layout of printed editions is protected for 25 years from publication. Broadcasts are protected for 50 years.

Once copyright has expired, a work enters the public domain and can be freely copied and reused.

If you want to reuse material that is still in copyright, you will need to make sure your use is covered by either a **copyright exception** or a **licence**.

### Copyright exceptions

UK copyright law includes 'exceptions' which permit limited copying in certain circumstances.

The one most relevant to teaching is Section 32 which covers 'illustration for instruction'. It permits copying of material provided the following conditions are met:

- It is for the sole purpose of illustration for instruction.
- It is for a non-commercial purpose.
- No more than the minimum required to make the teaching point is used.
- An attribution to the original author or creator is included, unless this is not practical.
- It is 'fair dealing' to the copyright holder.

### Fair dealing

Fair dealing is not strictly defined in the legislation and depends on context. For your use to count as fair dealing it should not negatively affect the original rightsholder's ability to sell or use their work in the way they want to. Importantly, your copying should not create a substitute which undermines sales of the original work.

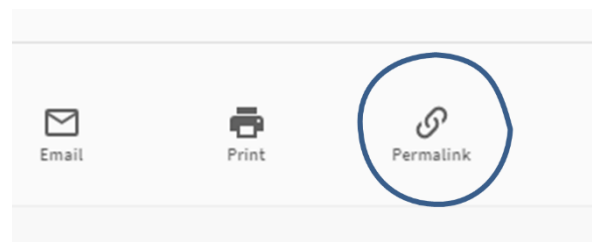
Copyright exceptions can cover the reuse of **short extracts** from a work, such as a quotation from a book or article, a section of an image, or a short clip from a film or song.

In some instances, it could be argued that quoting an entire work is 'fair', such as showing a complete photograph. However, in general if you want to copy a more than a short extract, such as a whole book chapter or journal article, you will need to do this under a **licence**.

### Licences

#### Online library resources

The simplest way to share material with students via the VLE is to link to an online version provided by the Library, if available. This can be done by adding the item to your module's online reading list or by sharing a link to the item. To get a link, look up the item in [Primo](#), the Library's search platform, and then use the 'permalink' feature.



These resources are licensed by the publishers for use by university staff and students. It is best to link out to the original resource rather than copying it and uploading it as this kind of copying is often not permitted by the publisher's licence.

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## CLA licence for book chapters and articles

The University has a licence with the Copyright Licensing Agency (CLA) which allows us to copy extracts from a wide range of books and journals for students enrolled on specific courses.

You can request scans of material up to whichever is the greater of:

- 1 chapter from a book
- 1 article from a journal issue or set of conference proceedings
- 1 short story or poem, not exceeding 10 pages in length, from an anthology
- 1 case report from a published report of judicial proceedings
- 10% of the whole publication.

The licence covers both text and any accompanying images, charts, or diagrams. Sheet music and maps are not covered by the licence.

You can check whether a publication is covered under the CLA licence by using the [CLA check permissions tool](#). If it's covered, you can request a scan for students on your course via the [Reading List Service](#).

The Library will check that your request is covered by the CLA licence, make a high-quality accessible scan, and upload it to your reading list where it can be accessed by your students. The Library will also add the necessary copyright notice to the scan and take care of all the required record keeping and reporting.

Scans can only be used on the specific courses they have been requested for.

## ERA licence for TV and film broadcasts

The [ERA licence](#) allows us to record broadcasts of radio, TV programmes, and films from the BBC, the Open University, ITV, Channel 4, Channel 5, and S4C.

Recordings made under the licence can be shown to students for educational purposes and can also be used in the VLE provided they are made available to students based in the UK only.

[Box of Broadcasts \(BoB\)](#) is a platform which enables you to view archived recordings made under the ERA licence and share them with your students. You can also use it to request recordings of upcoming broadcasts.

## NLA licence for newspapers

The [NLA Education Establishment Licence](#) permits copying from printed and online NLA media access publications for classroom use or private study. The licence includes all UK national newspapers and allows you to copy a cutting, such as an article, report, or photo, to give to students. Some titles also permit using a digital cutting on the VLE.

## Open licences for web resources

If you are using a web resource, consider linking out to the original rather than uploading a copy as this will help to avoid copyright infringement.

If you need to copy material and your use is not covered by a copyright exception, check the licensing arrangements. Some web resources are licensed under open licences, such as Creative Commons licences, which permit reuse provided you abide by certain conditions.

If you can't see any licensing information, assume that the creator has retained all their rights under copyright: you may need to contact them to request permission.

## Other material

For further information about reproducing other kinds of material, such as images or music, see the 'copyright for lecturers' section on [our webpages](#).

## Requesting permission

If your use of a copyright work is not covered by any of the above licences or exceptions, you may need to request permission from the copyright holder to use their material.

Be aware that negotiating with rightsholders can be time consuming. Some may refuse permission, demand a licence fee, or not reply at all. It is good to have a backup plan in case this happens.

## Risk management

Copyright can be complex, and it is not always clear whether an activity is legal or infringing. This is especially true with copyright exceptions and determining what constitutes 'fair dealing'.

You may need to take a risk management approach to make an informed judgement.

You can take the following steps to mitigate risk.

- Consider whether you need to make a copy or whether you could link to the original instead.
- Don't copy more of the work than you need to.
- Always copy from a legally accessed version.
- Always include an acknowledgement to the original creator, if possible.
- If you've copied work under a licence, indicate this with a coversheet, copyright notice or a link to the licence in the acknowledgement.

If you are concerned or unsure, please contact us for further advice.

## Further help

If you have any further questions about copyright not covered in this guide, there is more detailed information on our [copyright webpages](#).

You can also contact the Library's Copyright Team for advice: [copyright@abdn.ac.uk](mailto:copyright@abdn.ac.uk).