



Barnhill

COPYRIGHT POLICY STATEMENT

Copyright Policy

Ratification Date: August 2012

Reviewed – As required

Next Ratification: N/A

Governor/Director owner: Chair of Operations Committee

Lead Staff Member owner: Operations Director

Copyright

The Copyright, Designs and Patents Act 1988, is the current UK copyright law. It gives the creators of literary, dramatic, musical and artistic works the right to control the ways in which their material may be used. The rights cover: Broadcast and public performance, copying, adapting, issuing, renting and lending copies to the public. In many cases, the creator will also have the right to be identified as the author and to object to distortions of his work.

Copyright arises when an individual or organisation creates a work, and applies to a work if it is regarded as original, and exhibits a degree of labour, skill or judgement.

Interpretation is related to the independent creation rather than the idea behind the creation. For example, your idea for a book would not itself be protected, but the actual content of a book you write would be. In other words, someone else is still entitled to write their own book around the same idea, provided they do not directly copy or adapt yours to do so.

Names, titles, short phrases and colours are not generally considered unique or substantial enough to be covered, but a creation, such as a logo, that combines these elements may be.

Normally the individual or collective who authored the work will exclusively own the rights. However, if a work is produced as part of employment then normally the work belongs to the person/company who hired the individual. For freelance or commissioned work, rights will usually belong to the author of the work, unless there is an agreement to the contrary, (i.e. in a contract for service).

Only the owner, or his exclusive licensee can bring proceedings in the courts against an infringement.

A full copy, with amendments of the act can be found at www.jenkins-ip.com.

Duration of rights

1. For literary, dramatic, musical or artistic works

70 years from the end of the calendar year in which the last remaining author of the work dies, or the work is made available to the public, by authorised performance, broadcast, exhibition, etc.

The Copyright (Computer Programs) Regulations 1992 extended the rules covering literary works to include computer programs.

2. Sound Recordings and broadcasts

50 years from the end of the calendar year in which the last remaining author of the work dies, or the work is made available to the public, by authorised release, performance, broadcast, etc.

3. Films

70 years from the end of the calendar year in which the last principal director, author or composer dies, or the work is made available to the public, by authorised performance, broadcast, exhibition, etc.

4. Typographical arrangement of published editions
25 years from the end of the calendar year in which the work was first published.

Types of work covered

1. Literary
Song lyrics, manuscripts, manuals, computer programs, commercial documents, leaflets, newsletters and articles etc.
2. Dramatic
Plays, dance, etc.
3. Musical
Recordings and score.
4. Artistic
Photography, painting, architecture, technical drawings/diagrams, maps, logos, etc.
5. Typographical arrangement of published editions
Magazines, periodicals, etc.
6. Sound recordings
May be recordings of works, e.g. musical and literary.
7. Films
Broadcasts and cable programmes.

Rights do not subsist in any part of a work which is a copy taken from a previous work.

Licenses the school hold:

ERA Educational Recording Agency www.era.org.uk

Covers recording from radio and tv made in the UK of the works owned or represented by ERA members and electronic communication of licensed recordings within the school.

ERA+

Enables licensed recordings to be accessed by students & teachers on-line whether they are on school premises or at home or working elsewhere in the UK

CLA Copyright Licensing Agency www.cla.co.uk

Covers Schools Basic Scanning Licence – photocopying, scanning and retyping from published materials: books, magazines and journals

PRS Performing Right Society www.prs.co.uk

Covers the public performance of copyright music controlled by PRS

PVSL Public Video Screening Licence www.pvsl.co.uk

Covers the showing of films in an extra-curricular capacity from Filmbank's repertoire