



Higher Education Licence

User Guidelines

Copy, Right

# Introduction

---



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 on [our website](#).

These Guidelines have been drafted by CLA in conjunction with the Universities UK / GuildHE Copyright Negotiating and Advisory Committee (UUK/GuildHE CNAC) 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 rolespecific guidance. You can find the full terms and conditions of the Licence on our website at [cla.co.uk/cla-products/he-licence](https://cla.co.uk/cla-products/he-licence).

The current Licence reflects a number of changes agreed with the UUK/GuildHE CNAC, a summary of which can be found on our website.

# Contents

---

Quick Start Guide	04	Images	14
Background and context	05	Editions	14
Responsibilities of CLA and HEIs	06	Excluded Categories	15
Can I make copies under the CLA HE Licence?	08	How much can I copy?	16
Who can I make copies for?	08	Source copies	17
Types of copying	09	Copyright fee paid copies	18
Moral rights and adaptation of extracts (integrity)	09	Royalties Data Collection	19
Processes for digital copies	10	Collaborative Arrangements	19
How can I store digital copies and make them available?	10	Shared library facilities	19
Reporting and managing digital copies	10	NHS crossover	19
Copyright Notice	11	Sharing of copies	19
What can I copy?	12	How does the CLA Licence fit with primary licences?	20
Quick Guide	12	Accessible copies for print disabled staff and students	20
Check Permissions	13	Account Management & Review	21
What should I do if a work from which I've copied becomes excluded?	13	Digital Content Store	21
Overseas publications	14	Second Extract Permissions Service (SEPS)	21
Special note – print titles published in the USA	14		

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 the Check Permissions tool on our website.



## Who can I make copies for?

Registered students and members of staff. Copies made for students in connection with a Course of Study are subject to specific conditions and reporting requirements.



## 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 for course provision 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 (or other individual purpose, such as a staff training event or meeting), **whichever is the greater**:

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

# 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, and support the wider running of HEIs, by allowing 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 the UUK/GuildHE CNAC, 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 20).

# Responsibilities of CLA and HEIs



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 10 (for State HEIs) or Clause 9 (for Independent HEIs) of the terms and conditions.

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)

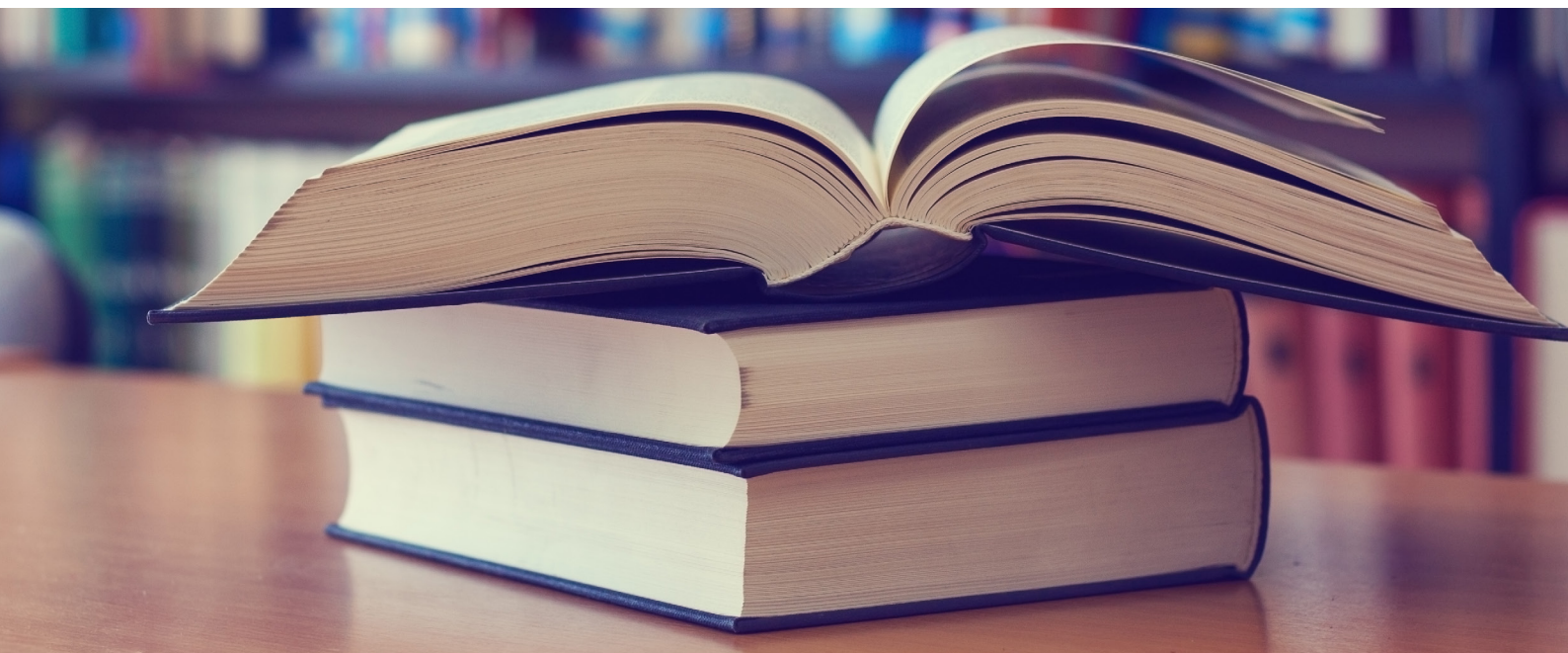
## HEIs

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 institutional Copyright Policy or set of procedures.
- 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 (there is more information about Data Collection Exercises on page 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.

# Responsibilities of CLA and HEIs

---



## 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 made for a Course of Study are reported to CLA.
- 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 for course provision 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?

### 1. 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. Please see our dedicated guide for further information.
<b>Overseas campus-based students (if declared)</b>	If you have declared them to us, some or all students that are enrolled at your HEI but based at a campus overseas, either at an overseas branch campus of your HEI or the campus of an overseas partner. Please see the dedicated section of our website for more information.

### 2. 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.
<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.
<b>Academics and staff (non-course related)</b>	In addition to making copies for staff who are Course Users (or researchers, see above), you can also make copies for other scenarios at your HEI – for example, for HR or financial management purposes, or distributing or accessing press cuttings for PR or marketing.



# Types of copying

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

<b>Paper copies</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</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)

### 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.

### Adaption 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 15, 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. *Note that this section applies to digital copies made for students and staff in connection with Courses of Study (i.e. 'Course Users') Other types of copies, such as press cuttings and those made for marketing or HR purposes, are not subject to the same reporting requirements and do not require a Copyright Notice. If your HEI uses our Digital Content Store or a system provided by a third party that has signed our TPTP agreement (see page 21), many of the processes described here will be automated.*

## 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 21), 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 page 11) 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:

- 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).
- Make digital copies available via a secure, password-protected online platform such as Dropbox.
- Distribute digital copies on USB sticks (and other removable/portable storage media), provided that one copy only is delivered to each Course User.

## Reporting and managing digital copies

The main thing to bear in mind is that any digital copies you make for a Course of Study are subject to cyclical reporting arrangements agreed between CLA and the UUK/GuildHE CNAC (see also the section on Royalties Data Collection on page 19).

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

## Copyright Notice

Every digital copy made for Course Users 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 above).

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.

# 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 18)

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

---

**Check coverage:** Most that are published in the UK plus many published overseas.

### Digital Publications

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

- E-books
- E-journals
- Some websites

---

**Check coverage:** Titles from participating digital material publishers and many from overseas.

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 (or other individual purpose) the following amount can be copied, **whichever is the greater:**

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

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 lets you check whether a publication is covered by the licence. You can access it from our website.

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.

**WATERSHIP DOWN**

---

ISBN:	978009941079
Publisher:	Random House Group Limited
Contributor:	ADAMS, RICHARD
Publication Type:	Book
Publication Form:	Print
Country of Publication:	United Kingdom of Great Britain & N. Ireland

[Show Higher Education Permissions](#)

View Licence Usage:

- Photocopying [show details](#) ▼
- Scanning [show details](#) ▼
- Second extract permissions [Purchase](#) [show details](#) ▼

## 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?



## 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.

### 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.

### Images

You can copy images (including book covers) 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 5, some exceptions to copyright law do exist, and you might want to 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 19); however, remember that CLA does not require HEIs to report the copying of individual disembedded images where this use is covered by the Licence terms rather than an exception. Please also bear in mind that digital copies of book covers do not need to be reported.

### 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 Music Publishers Association website.



### 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 our 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)



### Workbooks, workcards and assignment sheets

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



### '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.

# How much can I copy?



We've set out how much of a publication you can copy on page 13 – 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 each cohort of a particular course (or other purpose) by copying incrementally – e.g. making 10% of a publication available for two weeks of a course only and then a further 10%

for the following two weeks. However, you may replace the extract from the same publication for a different cohort of students taking the same course.

- 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. For non-course copying, the same principle applies – so, for example, you can make the same number of copies as there are staff taking a training course and teaching it.
- 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 the UUK/GuildHE CNAC 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. However, you may replace the extract with a different extract from the same publication for a different cohort of students.



# 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 19).
- Print publications that are owned by your HEI but not necessarily purchased – e.g. acquired as donations or via bequests.
- Material delivered via a media monitoring service.



## 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. The use of these to make further copies may be permitted under exceptions to copyright but is not covered by the Licence. For further information see the IPO guidance on exceptions at: <https://www.gov.uk/guidance/exceptions-to-copyright>

### 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 ('EHESS'.)
- 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.
- All the usual Licence terms and conditions apply to copyright fee paid copies. Remember in particular that if you've already copied 10% of a publication (or one chapter, article, etc) for a specific course or other purpose, acquiring a copyright fee paid copy doesn't allow you to make a further 10% (or chapter, article, etc) available for that same course or purpose. (You can though use our Second Extract Permissions Service to do this – see page 21).



# 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 on our website. 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. With regard to course packs only, we plan to carry out supplementary data

collection exercises at eight additional HEIs during Spring 2020.

- Digital copies – via our annual programme of reporting agreed with the UUK/GuildHE CNAC. Please see our Guide to Reporting and Managing Digital Copies (as above). CLA also has a 'Third Party Technology Providers' (TPTP) licence which enables 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 need to continue to annually report, "weed" and manage digital copies themselves. Note that digital copies made for non-course specific purposes do not need to be reported to CLA or weeded.

# 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 21) 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 5, there are exceptions in place for certain scenarios – including the making of copies for people with a disability that affects their ability to read and/or access content (including visual impairment, physical disabilities, and cognitive conditions such as dyslexia).

Detailed information is available about this exception at: <https://www.gov.uk/guidance/exceptions-to-copy-right#helping-disabled-people>

Additionally, there is still the option to make accessible copies (both paper and digital) using the Licence rather than the exception – 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 13).

- 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 site).
- 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.

## Account Management and Review

---



We are currently developing an Account Management and Review programme; further information will be added to our website in Autumn 2019.

Although we no longer run a programme of Audits, we reserve the right to conduct an audit in the unlikely event that we have significant concerns which could not otherwise be resolved.

## 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 streamlines content and permissions workflows – as well as automating the Licence reporting process and requirements checks mentioned on pages 10 and 19.

CLA also has a 'Third Party Technology Providers' (TPTP) licence which enables 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 need to annually report, "weed" and manage digital copies themselves. Further information about the Digital Content Store is available on our website.

## 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%.



## The Copyright Licensing Agency Ltd

Tel 020 7400 3100  
Email [cla@cla.co.uk](mailto:cla@cla.co.uk)  
[www.cla.co.uk](http://www.cla.co.uk)

CLA Scotland  
Tel 0131 272 2711  
Email [clascotland@cla.co.uk](mailto:clascotland@cla.co.uk)

Registered in England  
Reg no. 1690026