



Queen Margaret University

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Copyright Policy

Policy Summary:	The Copyright Policy provides advice and guidance on copyright legislation as it applies to QMU staff and students
Policy Owner:	Learning Services
Approved By:	Executive Board: 9 February 2016
Equality Impact Assessed:	25 February 2016
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Review Period:	Annual or as required by legislation



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COPYRIGHT POLICY

1 Introduction

Queen Margaret University is a holder of various copyright licence agreements, and as such observes the principle of copyright for all works created by others. The University requires all staff and students to do likewise, and abide by the respective copyright licence. Therefore this Copyright Policy is applicable to **all** staff and students.

The University complies with current UK copyright legislation (including, but not limited to, the Copyright, Designs & Patents Act 1988). Any infringement of copyright licences or legislation could result in legal action being taken by the rights holder or licence provider against the University or even the individual. The infringement of copyright by a member of University staff or student is a very serious matter. Any breach of copyright would be dealt with by the relevant disciplinary procedures (staff and student).

2 Scope of this policy

This policy covers the use of all copyrighted material used within the University. This includes (but is not limited to): images, databases, text, recordings, broadcasts, software and other electronic material whether store on local, remote or internet (cloud-based) sites. The policy is only concerned with third-party material.

This policy does NOT include the material **created** by individual members of staff and some research students which the University owns as Intellectual Property. Further details are available in the Statements of Terms & Conditions of Employment for both Academic & Professional Services staff, available on the QMU intranet.

3 Responsibility of members of the University

The rights of copyright holders should not be infringed. Each member of staff should consider whether the material they wish to use is subject to copyright, and whether using the material would infringe the exclusive rights of the copyright holder. These exclusive rights are:

- to copy the work
- to distribute copies to others
- to perform, show or play the work in public
- to communicate it to the public
- to make an adaptation or to do any of the above in relation to an adaptation.

All members of staff and students should ensure they only make correct and legitimate use of third-party material (chapters of books, journal articles etc) with respect to the copyright licence for the intended material (for example licences from the Copyright Licensing Agency or the Educational Recording Agency).

Correct and legitimate use includes a determination by the members of staff as to whether the material is subject to copyright by considering whether the intended use is *either* lawful under statutory exception known as “fair dealing”, or permitted by licence. If no licence exists, or fair-dealing is not permitted, then it is the responsibility of the member of staff or student to obtain permission directly from the rights holder.

4 Action

If a breach of copyright is found, the following steps will be taken:

1. Takedown of offending material
2. Conversation with the member of staff/student
3. Referral to line manager (staff)/Dean (students) if necessary

If a member of staff or student requires further information about copyright issues please contact the library for further guidance, via assist@qmu.ac.uk