



University of  
St Andrews

## Copyright for teaching

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1.1	Updates		Sean Rippington, Copyright Officer, University Libraries and Museums	05/05/2023

## 1. Introduction

Teaching and learning would be impossible without the use of copyright protected material. This document helps you understand how to use copyright material legally in your teaching.

When you share copyright material such as readings, videos and sound recordings with students this material needs to be covered by:

- a licence; or
- an exception to copyright.

In many cases the University pays for licences which allow educational use. But there will also be times when you need to rely on exceptions.

Where there is no licence or exception it's possible that you and/or the University may be liable for copyright infringement. The risk of infringement when providing teaching resources is usually low, but can lead to financial or reputational damage. The guidance on this page will help you manage this risk and demonstrate good practice in use of copyright material.

## 2. Licences that allow use of copyright content for teaching

We have a number of licences that enable use of copyright materials in teaching.

### Digital library resources

Our [digital library resources](#) all come with licences that allow current staff and students to access content when logged in to a university account.

### Collective licences

We have collective copyright licences which allow copying and sharing of certain types of copyright works:

- published books and journals: our [CLA \(Copyright Licensing Agency\) Licence](#) allows us to provide up to 10%, or one chapter/article (whichever is the greater) to students - [see what the CLA licence covers](#). Use the library's [digitised readings service](#) to request licensed copies from books and journals.
- UK film and radio broadcasts: our [ERA Licence](#) allows us to access recordings from UK film and radio broadcasts which we provide to you using [BoB - On Demand TV and Radio](#).
- newspapers: our [NLA Licence](#) allows us to copy articles from newspapers and make these available to staff and students.

### Creative Commons

[Creative Commons licences](#) are becoming increasingly important in teaching as a way of creating and sharing educational resources.

You can use Creative Commons licenced works in your teaching without having to pay or ask for permission. There are different types of Creative Commons licence, so make sure you're aware of the restrictions the copyright owner has applied, such as the '[NoDerivatives](#)' option, which prevents you from making an adaptation of the work.

You should always provide [an attribution](#) for any Creative Commons licenced works that you use, including:

- Title
- Creator
- Source
- Licence

You can find free Creative Commons licensed educational resources at sites such as:

- [Creative Commons Search](#): search for Creative Commons licensed content across a number of sites
- [Flickr](#): a photo community site that allows you to search for images according to Creative Commons licence. If you find a photo you want to use make sure you have permission and always provide a credit
- [Wikimedia Commons](#): a collection of Creative Commons licensed and Public Domain (out of copyright) images and media
- [Artstor](#): image resource for education and scholarly use
- [Europeana](#): search for digitised content from Europe's cultural heritage institutions.

You can find out more about Creative Commons licences on our [library webpages](#).

## Open educational resources

Some teaching staff are happy to share their learning resources with others under open licences.

Open Educational Resources (OERs) are typically released with Creative Commons licences that allow the copyright owner to authorise others to share their works free of charge. If the copyright owner wants to, they can give others the right to adapt and even commercialise their work, but sometimes they choose to restrict these permissions.

[The OER Commons](#) is a digital library of open educational resources.

## Course Packs

The CLA Licence allows for the production, within certain limits, of course packs or compilations of materials for distribution to students for their use on a specific course.

Multiple copies may be distributed only to registered students and members of staff with strict reference to a course of study i.e. the number of copies of any one item of licenced material must not exceed the number needed to ensure each student and teacher has one paper copy.

The CLA has produced guidance on good practice for creating course packs [here](#).

## 3. What to do if there's no licence

There may be cases where you want to use a copyright work in your teaching that isn't covered by a licence. You'll then need to:

- get permission from the copyright holder directly; or
- determine if your activity is covered by an exception to copyright.

## 4. Copyright exceptions for teaching

Copyright exceptions allow you to include copyright material in your teaching without the permission of the copyright holder. To rely on copyright exceptions you must abide by the concept of 'fair dealing' (see the ['Copyright overview'](#) for more about 'fair dealing').

This means you must:

- provide a credit for the work and its creator
- make sure your use doesn't undermine the copyright owner's ability to commercially exploit the work.

There are a number of copyright exceptions in the Copyright, Designs and Patents Act which relate to teaching. The most relevant to you are:

- [Section 30](#), which covers quotation
- [Sections 31A-F](#), which cover accessible copying
- [Section 32](#), which covers "illustration for instruction".

The sections below show how you can rely on licences and exceptions to address copyright in relation to the most common types of teaching activity.

## 5. Uploading content to Virtual Learning Environments (e.g. Moodle, MMS, Teams, Panopto)

Under copyright law you can share the same types of content with your students online that you're allowed to present in face-to-face teaching, as long as the use is:

- relevant to your teaching; and
- fair to the copyright owner.

This use requires that the content will be accessible only to registered St Andrews students enrolled on the relevant module for the duration of their degree programme, and should not be downloaded and distributed beyond that cohort.

### Teaching slides

As you create PowerPoint slides or equivalent teaching presentations, make sure you properly credit any images, text or musical quotations. You need to do this regardless of whether you're relying on a licence or on a copyright exception.

### E-resources

When sharing electronic content, link to the original digital resource where possible. Don't download, reformat, convert them or re-upload it to Moodle, as many e-resource licences don't allow this.

### Scans from books and journals

If you want to make extracts from print books and journals available to your class, use the [Library's reading lists service](#) to request licenced scans. The CLA licence fees paid by the University can then be distributed to the author and publisher.

## Creative Commons licensed content

If the content you want to share is covered by a Creative Commons licence you can upload it to Moodle, Teams, email, or include it as part of a recorded lecture.

But if you're creating a new copyright work based on existing Creative Commons works, you need to consider whether this is a derivative work and therefore if the licence restricts this.

## Commercial use

Some licences restrict commercial use. The University takes the view that just because students pay tuition fees it does not make teaching activity commercial. This means you can share material marked for "non-commercial" use in most teaching contexts.

## Accessible copying

If you or your students have a disability, you or they may make adaptations to copyright works to make them accessible. We provide tools and guidance to help you make sure your teaching materials are accessible at the [Alternative Format Suite](#).

## 6. 'Captured content' or 'Lecture capture'

The same principles that apply to Moodle and Teams also apply to recorded lectures and other teaching and learning activities, often called 'Captured content' or 'Lecture capture'.

You can:

- include copyright material as part of your recorded lectures where licences allow
- rely on exceptions, as long as your use is fair and relevant to your students' studies.

You should always provide a credit for any content you include, unless this is impossible or impractical.

This use requires that the content will be accessible only to registered St Andrews students enrolled on the relevant module for the duration of their degree programme, and will not be distributed beyond that cohort.

You can learn more about the University's 'Use of captured content policy' [here](#) and read the 'Use of captured content – Guidance for staff' [here](#).

Guest speakers from outside the University must sign a [lecture capture consent form](#) if being recorded.

Individual lecturers are responsible for the legality of what is recorded. Staff have the ability to pause any recording at the point in a teaching activity where copyright material is being used, or to make an audio-only recording, if they are unsure about the legality of the recording.

Section 2.2 of the [Use of Captured Content policy](#) outlines the ownership of captured content and how long it will be retained.

## 7. Performing works in class

### Showing recorded media

You can show films or play recorded audio to students without needing a licence from the copyright owner in:

- lecture or seminar rooms
- online teaching, using the resources in the Library's [multimedia guide](#), or by requesting that the Library [stream a DVD from its collection](#).

This is because there's a specific [copyright exception](#) which covers the performing, playing or showing work in the course of the activities of an educational establishment.

### Performing musical, literary or dramatic works

You may perform or get others to perform musical, literary or dramatic works in front of an audience without a licence as long as these are closed sessions for your students. If the audience includes other people, such as family, friends or members of the public, you may need a licence.

Public performance of literary work: under UK copyright law you are allowed to recite "reasonable" quotes from books and journals in public without needing a licence. You may record the reading or recitation and share it online, as long as the quoted material is only a small part of the overall recording.

Public performance of dramatic works: you or your students will need to get permission from the copyright owner if you want to publicly perform a whole play, musical or opera. You can contact theatrical agents such as [Concord Theatricals](#) to arrange permission if you need it.

## 8. Examination

Copyright materials in any format can be used in examinations in any form (e.g. written exam papers, practical tests, oral exams) without the permission of the copyright holder by making use of the '[Illustration for Instruction](#)' exception in UK copyright law. This exception permits limited amounts of copying for use in teaching and examination.

To use copyright material in an exam under this exception, you are required to ensure:

- that the material, and the amount copied, is necessary and relevant to the exam
- that the source, author, artist or creator of the work are accurately acknowledged
- that the title or other identifying description of the work being copied is included.

It's important that the copyright material copied for the exam is not distributed any wider than is necessary for the exam, or published on the open web. It may be made available electronically to our students (e.g. via Moodle, Teams, email etc.) provided the material is not distributed or published any wider.

You may also wish to consider linking students to the copyright material rather than copying it, where possible.

## 9. Help

We provide advice, training and specific guidance on copyright law to support you in your work and study. If you have any questions about copyright, email: [copyright@st-andrews.ac.uk](mailto:copyright@st-andrews.ac.uk)

## 10. Related Documents

[Copyright overview](#)

[Copyright for researchers](#)

[Copyright for students](#)

[Copyright and theses](#)

## 11. Bibliography

['Copyright: What you Need to Know'](#) by Chris Morrison and Angela Groth-Seary

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1.2	Updates		Sean Rippington, Copyright Officer, University Libraries and Museums	05/05/2023