

CLA HIGHER EDUCATION LICENCE

GUIDE TO REPORTING AND MANAGING DIGITAL COPIES 2017-20

This guide is intended to help Higher Education Institutions understand the requirements for reporting and managing Digital Copies under the CLA HE Licence. However, we will be pleased to help with any specific questions you may have; please send these to us at cla@cla.co.uk. There are also further support resources for the Licence on our [website](#).

If your HEI subscribes to CLA's [Digital Content Store](#) then the processes outlined in this guide will be automated. In addition, CLA also has a Third Party Technology Partners ('TPTP') Licence, which enables licensed technology providers to automate these processes for their customers as well.

If your HEI is not signed up to the Digital Content Store, or to an appropriate platform provided by a licensed TPTP, you must report and manage digital copies as set out in this document.

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Reporting of Digital Copies

CLA needs to collect certain data from HEIs regarding Digital Copies, to inform the fair distribution of Licence fees to rightsholders and to monitor usage trends under the Licence. Data received from UUK/GuildHE members is also shared with the UUK/GuildHE Copyright Negotiating and Advisory Committee, to help inform Licence negotiations.

By Digital Copies, we mean scans made from printed material *and* copies made from digital originals, in both cases where copying is done under the CLA Higher Education Licence (and where the items copied are covered by the Licence).

For the period 1 June 2017 - 31 May 2020, the reporting cycle continues along similar lines as previously, and is set out below. Please note that if your HEI is signed up to CLA's Digital Content Store or an analogous system (e.g. Talis Aspire Digitised Content), your reporting will be automated.

- Each year, your HEI must report all *new* Digital Copies that have been made during the previous 1 June – 31 May reporting period.
- In addition, once during the three-year cycle your HEI is additionally required to report all Digital Copies *carried over from a previous year* but used in the immediately preceding period of 1 June – 31 May. This report should include any renewals which are available but were produced in a previous reporting period.
- These reports should be made to CLA annually, on or before 15 June (or nearest preceding working day).
- Please refer to the [Reporting Schedule](#) to determine when your institution will need to report either 'New only' or 'All' digital copies.
- Reporting is done via the Digital Copy Record Form (DCRF): this, together with a guide to completing it, is available on our [website](#). However, please also note the following.
 - If a Digital Copy has been used in connection with more than one Course of Study, each use must be reported on a separate line on the DCRF.
 - With effect from 1 August 2016, the Licence permits students to continue to access Digital Copies for the duration of their degree programme – i.e. after the relevant course has ended in any academic year. Once a cohort of students has completed a course, even if it continues to have access, it should not be referenced on the DCRF.
 - Also with effect from 1 August 2016, CLA no longer requires HEIs to report the copying of individual disembedded images where this use is covered by the Licence terms rather than an exception. Accordingly, this data does not need to be entered on the DCRF.
 - Remember there is no need to specify where you have used embedded images (for example, if you have copied a chapter consisting mainly of text but which also includes an image, just report the chapter).
 - Any Digital Copies that have been made in accordance with Clause 9 of the Licence (regarding disabled persons) should not be reported to CLA.
 - Printouts of Digital Material are Paper Copies and therefore should not be reported to CLA under the arrangements set out in this Guide.

Special considerations

Where CLA and/or rightsholder concerns have been identified and upheld, HEIs may be asked to carry out a full census report of *all* Digital Copies (i.e. including Digital Copies that have been carried over) annually until such time that they can demonstrate that they have a robust system in place to monitor use of material under the Licence.

The reporting process for 2017-18

Group 1 – report all Digital Copies

On or before 15 June 2018, please report to us all Digital Copies that have been *used* during the preceding reporting period of 1 June 2017 – 31 May 2018 – whether made during this period, or made during a previous reporting year and then carried over.

Use the [Full Digital Copy Record Form](#) to report new and carried-over Digital Copies to CLA.

If your HEI has not made or used any Digital Copies during the period 1 June 2017 – 31 May 2018 you still need to tell us, by completing a 'nil return'.

Groups 2 & 3 – report new Digital Copies

On or before 15 June 2018, please report to us all Digital Copies that have been *made* during the preceding reporting period of 1 June 2017 – 31 May 2018.

Any Digital Copies made prior to the specified reporting period should not be reported (even if your HEI is still using them).

You should also create a new course entry where a previously-created Digital Copy is being used for a new course.

Use the [New Digital Copy Record Form](#) to report these new Digital Copies to CLA.

If your HEI has not made any new Digital Copies during the period 1 June 2017 – 31 May 2018 you will still need to tell us, by completing a 'nil return'.

The reporting process for 2018-19

Groups 1 & 3 – report new Digital Copies

On or before 15 June 2019, please report to us all Digital Copies that have been *made* during the preceding reporting period of 1 June 2018 – 31 May 2019.

Any Digital Copies made prior to the specified reporting period should not be reported (even if your HEI is still using them).

You should also create a new course entry where a previously-created Digital Copy is being used for a new course.

Use the [New Digital Copy Record Form](#) to report these new Digital Copies to CLA.

If your HEI has not made any new Digital Copies during the period 1 June 2018 – 31 May 2019 you will still need to tell us, by completing a 'nil return'.

Group 2 – report all Digital Copies

On or before 15 June 2018, please report to us all Digital Copies that have been *used* during the preceding reporting period of 1 June 2018 – 31 May 2019 – whether made during this period, or made during a previous reporting year and then carried over.

Use the [Full Digital Copy Record Form](#) to report new and carried-over Digital Copies to CLA.

If your HEI has not made or used any Digital Copies during the period 1 June 2018 – 31 May 2019 you still need to tell us, by completing a 'nil return'.

The reporting process for 2019-20

Groups 1 & 2 – report new Digital Copies

On or before 15 June 2020, please report to us all Digital Copies that have been *made* during the preceding reporting period of 1 June 2019 – 31 May 2020.

Any Digital Copies made prior to the specified reporting period should not be reported (even if your HEI is still using them).

You should also create a new course entry where a previously-created Digital Copy is being used for a new course.

Use the [New Digital Copy Record Form](#) to report these new Digital Copies to CLA.

If your HEI has not made any new Digital Copies during the period 1 June 2019 – 31 May 2020 you will still need to tell us, by completing a 'nil return'.

Group 3 – report all Digital Copies

On or before 15 June 2020, please report to us all Digital Copies that have been *used* during the preceding reporting period of 1 June 2019 – 31 May 2020 – whether made during this period, or made during a previous reporting year and then carried over.

Use the [Full Digital Copy Record Form](#) to report new and carried-over Digital Copies to CLA.

If your HEI has not made or used any Digital Copies during the period 1 June 2019 – 31 May 2020 you still need to tell us, by completing a 'nil return'.

Management of Digital Copies

Excluded Works

We contact HEIs on a quarterly basis with details of any repertoire changes, i.e. new Participating Digital Material Publishers, new Excluded Works (photocopying and scanning), new International Direct Mandate Publishers and new US titles opted in by CCC. The details are sent via e-mail to your named Licence Co-ordinator, and to others by request (if you would like to receive these direct, please let us know). Please note the following:

- These changes may include new exclusions.
- If this occurs, such repertoire is no longer covered by the Licence.
- *However*, if at the time of notification any affected Digital Copies are being used in connection with a current Course of Study, they may be retained until the end of the academic year for which they were made but must then be deleted.
- Any other Digital Copies made from such repertoire must be deleted within one calendar month of notification.
- To confirm, by deleting we mean removing from your VLE completely - not simply archiving.
- Remember this applies to any Digital Copies on your VLE, including those that may not be in use for a current course, but where students still have access under the Licence until the end of their degree programme.
- Remember that the above requirement to delete does not apply to Paper Copies of items that are no longer covered by the Licence (including printouts of Digital Material) – only to Digital Copies.

Requirement checks

Once a course is no longer running, and any students who have taken it are no longer enrolled at your HEI, any Digital Copies made for it must be deleted – or, if the course is likely to run again in the future, archived (with access restricted to those people responsible for maintaining the archive). If the course commences again in the future, and you would like to re-use Digital Copies you have archived, you will need to check that they still comply with the Licence terms and conditions.

This Guide is provided for guidance only. Please note that it does not substitute for the terms and conditions of the Licence, and that, in the event of a conflict between the two, the Licence prevails.