

# CLA Higher Education Licence

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## Guide to Reporting and Managing Digital Copies 2019 – 2024

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](mailto:cla@cla.co.uk). There are also further support resources for the Licence on our website.

If your HEI subscribes to our Digital Content Store (DCS) – and is using it to manage the creation and distribution of all Digital Copies under the Licence – then the processes outlined in this guide will be automated. In addition, we also have 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 using the DCS (or appropriate platform provided by a licensed TPTP) to manage the creation and distribution of all Digital Copies under the Licence, you must report and manage DigitalCopies as set out in this guide.

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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 2019 – 31 May 2022, the reporting cycle continues along similar lines as previously, and is set out below. Remember that if your HEI is signed up to the DCS or an analogous system (e.g. Talis Aspire Digitised Content) – and is using it to manage the creation and distribution of all Digital Copies under the Licence – then your reporting is automated, and you do not need to provide a manual report as described below.

- Each year, your HEI must report all new Digital Copies that have been made during the previous reporting period of 1 June – 31 May.
- 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 an earlier reporting period.
- These reports should be submitted 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.
  - Please don't reference any cohort of students that has completed a listed course but still has access to its content for the remainder of that particular cohort's degree programme.
  - There's no need to report the copying of individual disembedded images where this use is covered by the Licence terms rather than an exception.
  - 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 8 of the Licence (regarding print 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 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 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'.

## The reporting process for 2020–21

### Group 1 – report all Digital Copies

On or before 15 June 2021, please report to us all Digital Copies that have been used during the preceding reporting period of 1 June 2020 – 31 May 2021 (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 does not make or use any Digital Copies during the period 1 June 2020 – 31 May 2021 you will still need to tell us, by completing a 'nil return'.

### Groups 2 & 3 – report new Digital Copies

On or before 15 June 2021, please report to us all Digital Copies that have been made during the preceding reporting period of 1 June 2020 – 31 May 2021.

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 does not make any new Digital Copies during the period 1 June 2020 – 31 May 2021 you will still need to tell us, by completing a 'nil return'.

## The reporting process for 2021–22

### Groups 1 & 3 – report new Digital Copies

On or before 15 June 2022, please report to us all Digital Copies that have been made during the preceding reporting period of 1 June 2021 – 31 May 2022.

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 does not make any new Digital Copies during the period 1 June 2021 – 31 May 2022 you will still need to tell us, by completing a 'nil return'.

## Group 2 – report all Digital Copies

On or before 15 June 2022, please report to us all Digital Copies that have been used during the preceding reporting period of 1 June 2021 – 31 May 2022 (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 does not make or use any Digital Copies during the period 1 June 2021 – 31 May 2022 you will still need to tell us, by completing a 'nil return'.

## The reporting process for 2022–23

### Groups 1 & 2 – report new Digital Copies

On or before 15 June 2023, please report to us all Digital Copies that have been made during the preceding reporting period 1 June 2022 – 31 May 2023.

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 2022 – 31 May 2023 you still need to tell us, by completing a 'nil return'.

### Group 3 – report all Digital Copies

On or before 15 June 2023, please report to us all Digital Copies that have been used during the preceding reporting period of 1 June 2022 – 31 May 2023 (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 2022 – 31 May 2023 you still need to tell us, by completing a 'nil return'.

## The reporting process for 2023–24

### Group 1 – report all Digital Copies

On or before 15 June 2024, please report to us all Digital Copies that have been made during the preceding reporting period 1 June 2023 – 31 May 2024 (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 2023 – 31 May 2024 you still need to tell us, by completing a 'nil return'.

### Groups 2 & 3 – report new Digital Copies

On or before 15 June 2024, please report to us all Digital Copies that have been made during the preceding reporting period 1 June 2023 – 31 May 2024.

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 2023 – 31 May 2024 you still need to tell us, by completing a 'nil return'.

## Management of Digital Copies

### Excluded Works

If a work becomes Excluded, it is no longer covered by the Licence, and you must delete from your secure network any Digital Copies made from it by the end of the academic year. Remember this applies to any Digital Copies, 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.

You should check for new exclusions at least once annually. We contact HEIs on a quarterly basis with details of any new Excluded Works for both and scanning and photocopying (plus other repertoire changes, i.e. new Participating Digital Material Publishers, new Direct/Global Repertoire 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 repertoire updates direct, please let us know).

Please note the following:

- If, at the time of checking or notification (as applicable), 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 checking or 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.