

Use of copyrighted material in educational resources

These guidelines apply to all educational resources such as lectures, webinars developed for UK Stroke forum (UKSF) or the Stroke Association (SA). The content of this document is for guidance only and does not purport to be a statement of the current law. Readers should not rely on this either as an accurate or complete representation of the law.

1. Can I use copyright-protected material in my resource?

In most instances you will not be able to use copyright protected material in your resource. Using images, illustrations or table data sourced from the internet or print publications is not acceptable without prior written permission from the intellectual property owner. Examples would include cartoon images, news agency photographs (of famous people), specialist medical illustrations (from books or image libraries) and table data from online journals requiring subscription.

However, several exceptions allow copyright works to be used for educational purposes. Those that are most relevant are:

- Where the copying of works in any medium as long as the use is solely to illustrate a point or for criticism or review, it is not done for commercial purposes, and the use is fair dealing. This means minor uses, such as displaying a few lines of a paper, are permitted, but uses which would undermine sales of the article are not. Only the amount of the work needed to illustrate the point may be taken:
- Where the copyright has expired (e.g. public domain works)
- Where you have created your own images or taken your own photographs
- Where you have obtained written permission to use them from the copyright holder
- When SA/UKSF owns the copyright of the material and it is being used at a SA/UKSF event or activity
- Where material is licensed under Creative Commons (CC), as long as you acknowledge the source and check the terms of the license, you may be able to show these materials in your resource. Educational resources will often be labelled as such.

<https://www.gov.uk/guidance/exceptions-to-copyright#history>

https://www.copyrightservice.co.uk/copyright/p27_work_of_others

- **Acknowledgments**

Any use of copyrighted material **MUST** be accompanied by a sufficient acknowledgement, which should include the following:

- Title: The title of the image.
- Author: The name of the creator.
- Source: The URL where the image is hosted (plus optional link to author profile).
- License: The type of Creative Commons license it is available under, including a link to the relevant license.

3. What about using patient images?

You can use photographic or medical images of patients created in your place of work as long as they are fully anonymised and patients are not identifiable from the images or any data files attached. This means not only removing their name and date of birth from the actual image, but also any identifiers such as NHS/ hospital number, hospital name, doctors name, etc. from any metadata file attached.

4. What about using material from your own/colleagues research, including tables and images?

Although it may be your work, you may have already signed away the copyright to this if you have had the research published by a journal. Any publishing agreement must be checked to see how the work can now be used. In some cases you can use the pre-print version of the article, including the illustrations. Otherwise it may be possible to request permission for extracts of journal articles to be used.

5. Can I use excerpts from recorded TV or radio programmes?

SA/UKSF is not eligible for an educational recording agency (ERA) licence, which would permit the use of (and copying of) TV and radio broadcasts for educational purposes. This means you cannot show (or copy) material from on demand TV services such as the BBC iPlayer unless you gain individual permission.

6. What about showing (and recording) material from commercially bought videos or DVDs?

Commercially purchased videos and DVDs can be shown in lectures for educational purposes but substantial use of the content should not be recorded as a part of your resource unless you get permission from the copyright holder.

7. Can I use sound recordings in my resources?

Commercially bought audio CDs can be used in teaching but should not be included in a lecture recording, so these sections will need to be edited out from the recorded lecture.

Podcasts that you download from the web normally have an implied licence that enables you to copy and use them, as downloading them is a means of copying, so you should be permitted to use them, unless they have an accompanying statement that precludes their use.

8. What about showing and recording material from YouTube?

The copyright in videos that you might show from sites such as YouTube or iTunes U resides with the creator of the video, so you would need to obtain permission directly from them (YouTube or iTunes U cannot grant this on their behalf). Some of these materials may be available for educational use or under a CC licence. While it may be permissible to show these recordings for educational purposes and provide links to the material in e-learning resources, it may not be possible to include them in a recording, depending on the type of licence.

9. What are the risks associated with using copyright material?

You are responsible for making sure that your resources do not infringe copyright; however, SA/UKSF could be at risk of being subject to legal proceedings for infringing copyright, either within recorded lectures, or by uploading materials to the website or e-learning hub, public folders or another website. SA/UKSF may also be in breach of contractual arrangements if it has given an assurance to a third party that the materials will not infringe copyright.

Although it may be legal to use some materials within a lecture, it does not necessarily make it legal to include them within a recorded lecture or webinar and/or upload them to the website.

10. What can SA do to help?

If you have any concerns about material you wish to use in your resources then please contact ukstrokeforum@stroke.org.uk for advice before the resource is developed. It is possible to edit resources after they are made to remove infringing content, but is far easier to resolve issues beforehand. SA/UKSF may agree with you not to record your lecture or webinar presentation if it is highly dependent on copyrighted material. SA/UKSF reserve the right to remove any resources in the light of any proven copyright infringements.