

INGOLDMELLS PARISH COUNCIL COPYRIGHT POLICY

Copyright is a means of protecting intellectual property rights in material. It covers the expression of original ideas and thoughts and includes literary works, music, sound recordings and things such as advertising jingles or TV themes. It also covers policies (such as this one), procedures and other documents provided by Council officers in the course of their duties.

Copyright is governed by the Copyright, Designs and Patents Act 1988 (CDPA), and automatically applies to items such as, but not limited to, documents, policies, photographs, music and sound recordings. There is no requirement to apply for copyright protection – it applies automatically. The usual symbol for copyright is ©.

A copy of both of the Copyright, Designs and Patents Act 1988 and the Data Protection Act can be located on the Legislation.gov.uk website here:

<http://www.legislation.gov.uk/>

The Council's Data Protection policies and guidance are available on our internet.

Purpose

This policy is in place to ensure that the Ingoldmells Parish Council complies fully with its obligations under the CDPA and also protects the copyright it owns on its own documents and signage.

This policy covers two aspects of copyright. Firstly it covers the regulation of other's copyright in documents and secondly it covers the regulation and protection of the Council's own copyright in its material. It is therefore both outward and inwards looking.

Scope

The whole of this policy applies to council employees and contractors, councillors when undertaking council related work and third parties.

Knowingly or recklessly contravening this policy may be considered an offence as it may leave the Council in breach of copyright law and at risk of legal action.

The council will comply with its legal duties under the CDPA in respect of the copyright of third parties in material it uses in the course of council business.

The council will protect its own copyright in its own documents in a reasonable and proportionate way. Where a request is made from a third party to use council copyright material the council will consider each case on its individual merits, but will have regard to the guidelines below.

It is recommended that council documents are copyright protected by the use of the recognised symbol © and the words “Copyright of Ingoldmells Parish Council” and the year in the footer of each page of documents, or as a watermark, or in a convenient location in drawings, plans etc., The lack of a © and copyright notice does not mean there is no copyright protection, but it is helpful to include them

Request from others to use Council Copyright Protected Documents and Material

Others e.g. local authorities, individuals, charities etc., might wish to use council copyright protected material. To comply with the CDPA they cannot use council copyright material unless they receive our permission.

Where a request is made from a third party to use council copyrighted material the council will consider each case on its individual merits.

Permission to use will only be granted on the understanding that materials may be resized but must not be altered in any other way.

Where the council has provided permission to a third party to use council copyright protected material appropriate wording must be used by the third party.

- With thanks to Ingoldmells Council for allowing use of their

Enforcement of the Council’s Copyright

The council expressly reserves the right to take any appropriate action, including legal action against those who wilfully or recklessly breach its copyright or who publish copyright protected material where permission has been refused, irrespective of their sector or commercial status

Use of Council Logo or Coat of Arms Guidelines

The Council recognises that it is important to establish guidelines for the use of its logo and coat of arms to ensure a consistent and professional image of the Council is given when promoted publicly and that it minimises the Council's exposure to poor publicity through inappropriate use of its logo and/or coat of arms. Any approved use of the logo will be in accordance with the Council's corporate style guide.

Use of Council Logo by External (non-Council) Groups

Where an external group requests permission from the Council to use the logo and/or coat of arms on printed and other materials, the following conditions will apply:

- Use of Council's logo and/or coat of arms is not permitted without approval from Council
- Requests must include details of the reason and application of its use
- Where approved an electronic logo and/or coat of arms will be supplied and will be accompanied by instruction for its reproduction taken from the Visual Standards Guide
- No fees will be charged but eligible groups will be responsible for any costs associated with artwork, design and production
- The use of the Council's logo and/or coat of arms must not in any way bring discredit or disrepute upon the Council or the Parish
- The Council may exercise its right to withdraw any authorisation at any time if the approved use is deemed to be not complying with the conditions as set out in this policy or any approval
- Any other reasonable condition may be applied
- Any unauthorised use of any Council's logo and/or coat of arms is a breach of copyright and any application that is not consistent with this policy can only be approved by Council at a formal meeting of the Council