Licence Update and Response to Value Research

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New CLA Higher Education Licence 2019-2022

Key changes from 1 August 2019

• Fee per FTES increased to £7.51+VAT – a 1.9% increase
• Scanning from works published in the Netherlands, Germany and Belgium
• Updated terms for Print Disabled users in line with Marrakesh Directive
• Option to include Overseas Campus Based Students at reduced FTES fee
• Improvements to aid compliance and simplify workflow
Changes to Improve Workflow and aid Compliance

• Simplification of the terms granting the right to make copies for purposes other than those connected specifically with teaching and learning, including for press monitoring and internal administration

• Removal of the clause which prohibits scanning from a print work where the HEI subscribes to a digital version of the same work, however the restrictions on scanning CCC Electronic Rights Works will still apply

• Replacement of Compliance Audits with an Account Management and Review Programme

• Removal of Clause 11 of the licence, which required institutions to notify staff of the licence terms within 14 days

• A new banding option for the reporting of Non-Credit-Bearing Students
‘Understanding the value of the CLA Licence to UK Higher Education’

CLA Response to Research
CLA Response to Research

CLA welcomes this research, which it helped to facilitate with the provision of two large datasets and assistance with interpretation of the data

Observations specifically on CLA Licensing

- Overall the research and commentary suggests that the CLA licence provides a valued, relevant and streamlined licensing solution that will continue to meet the needs of the majority of HEIs for the foreseeable future
- The DCS, mentioned in the research report, is now used by 115 HEIs (rather than 60) and bearing in mind the first recommendation for CLA was related solely to DCS functionality, can be seen as a highly valued part of the licence, and as its primary reporting tool
CLA Response to Research

Further Observations specifically on CLA Licensing

• Two years’ worth of data from mixed sources is not sufficient to identify volume trends (not every institution was required to report all use of the licence in each of the two years), so the full picture may in fact show an increase in use rather than a decrease.

• Title level analysis shows the broad range of content used in UK HE courses, including a very wide range of books, and different kinds of serial publication, not all focused on peer-reviewed primary research (e.g. Sight and Sound, Nursing Times), thus it is difficult to draw broad-brush conclusions about trends in journals usage.
CLA Response to Research

Further Observations specifically on CLA Licensing

• Narrow definition of ‘value’: smaller institutions scanning less will still get relatively high value from the licence fee paid

• The implication that the CLA licence is ‘at odds with’ publishers’ digital licensing strategy is unfounded; the CLA licence complements primary digital subscriptions – unreasonable to expect that every publication will be available digitally. There are many publications that are scanned from print under the licence because it would not be commercially viable or practical to produce e-versions. The CLA licence effectively fills this gap in provision, while complementing publishers’ digital licensing
CLA Response to Research

Observations on the wider copyright and content environment

• Overall, the research shows that the CLA Licence exists in a complex and developing content ecosystem. CLA’s view is that the licence has evolved (and will evolve) to meet the very specific needs of licensees in this ecosystem, which of course we continue to monitor in cooperation with CNAC and licensees

• UK Copyright legislation is broadly fit for purpose, as both CLA and CNAC observed in their responses to the recent Call for Evidence on the recent 2014 changes
CLA Response to Research

Further Observations on the wider copyright and content environment

• Conclusions regarding the development of Open Access textbooks do not directly follow from stated aim of the paper; CLA will continue to monitor the development and use of OA textbooks and adapt where necessary

• Where journal articles are reported to CLA that may be available Open Access, it’s clear that the licence provides clarity and reassurance. The blanket model means no additional payment for anything mistakenly reported that is actually available OA, so we see this as providing real value.
Recommendations for CLA

1. **Search Facility in DCS**
   All extracts within a book now are now visible when searching

2. **Recommendation to rightsholders not to Opt Out**
   We will continue to ensure that all rightsholders are aware of the implications of opting out of CLA licensing, particularly in the education sector

3. **Collaborate with CNAC on Research**
   We are committed to cooperating with CNAC and licensees to maintain and enhance the value of the CLA Licence, particularly to HEIs outside of the top 20 high-volume users as identified in the research