

Mercian Copyright Group Meeting, De Montfort University, Friday 8th Feb 2019

HEI Delegates: Yvonne Budden (C) (Warwick), Luke Fowler (S) (Birmingham City), Chris Porter (Newman), Scott McGowan (Keele), George Dimmock (Northampton), Charlotte Greasley (Loughborough), Jasmine Hide (Birmingham), Rohit Taylor (DeMontfort), Alex Fenlon (VC) (Birmingham), Caroline Long (Aston), Mandy Padden (Wolverhampton), Tania Rowlett (Leicester).

Additional attendees: Dave Parkes (DeMontfort), Gaz Johnson (Mercian)

Agenda item	Detail/Discussion	Action by:
Introductions and Minutes		
1a: Intro & Sponsor Welcome	<ul style="list-style-type: none"> Rohit introduced meeting Dave Parkes (DMU and Mercian Collaboration Chair) welcomes as group sponsor Gaz Johnson attended on behalf of Mercian Collab, reminder of funding potential for activity Yvonne opened agenda – noted that no Secretary had been appointed – LF volunteered & accepted 	
1b: Minutes of previous meeting	<ul style="list-style-type: none"> Previous minutes (Jan 2018) confirmed as accurate Viewable at: https://merciancollaboration.org.uk/mcg-agendas-minutes-reports 	
1c: Actions arising		
1ci: UK Scholarly Comms Licence / Plan S	<ul style="list-style-type: none"> Yvonne Moved to ‘Current Challenges’ (see 2c: UKSCL/Plan S) 	
1cii: Overseas Licensing	<ul style="list-style-type: none"> Northampton Pilot for this (see 2a: Current Challenges) University of Birmingham also related feedback (see 2a: Current Challenges) 	
1ciii: Playing the publishing trap game	<ul style="list-style-type: none"> Interest from the group in playing the Publishing trap game as an exercise (i.e. to assess the value of use in training with institutional colleagues. New edition of the game due out in summer, to be launched at ICEPOPS conference Schedule longer meeting in June to accommodate this Action: invite Jane/Chris (creators) to attend the next meeting and run a session with us, possibly the new Ed 	YB
2. Current Challenges, Priorities and Activities		
2a: TNE Licensing	<ul style="list-style-type: none"> George Dimmock reported experience of Northampton participation in TNE pilot scheme Alex Fenlon shared UoB experience of individually negotiating up to 980 agreements re: new UoB campus HEIs keen to pursue overseas partnerships, this creates multiple bespoke and occasionally transitory arrangements – hard to manage 	

- Past approach: if students are registered on an institutions UK HESA return, they would be included in the authorised users and standard licence
- Publisher view: many publishers view students overseas on the HESA Aggregate Offshore Return (AOR) as additional authorised users which should be added at an additional cost
- JISC view: depends on HESA return: if on UK HESA return covered; if on AOR return codes 1-3 JISC are arguing they should be covered; if on AOR code 4 possibly covered, if on AOR code 5 probably not covered.
- AOR categories 1-3 are described by HESA definition as “registered” and JISC are arguing these students should be included under the JISC model licence. JISC are drafting a new partner decision tool, accordingly.
- Some publishers accepting of these proposals, others are resistant.
- Some publishers opt to informally permit overseas students – concerns about future changes to this
- JISC TNE group due to meet around March
- HESA ‘Data Futures’ likely to affect this, as will change the way overseas are reported (not aggregated), and will very much mirror the HESA approach to UK students.
- UoB report success in directly negotiating with publishers, happy to be contacted for advice

Authentication re: overseas:

- Generally, most HEIs not far along re: using authentication to control access to different student categories
- Student Records data not always “clean” or robust enough to inform authentication
- Chris reported Newman have made good progress on this, but included revisiting data quality with several departments, noted difficulty of matching vocabulary between student records/publishers/IT/licensors etc
- Driver for developing this: gives control over licensing costs – i.e. in scenario where you need to block access in order to reduce a subscription cost

Added point: licensing for informal University associates and other project based members:

- Yvonne shared experience of working with PhD students/researchers overseas – part of project to create series of publications from thesis of “upskilled” researchers/academics – part of the project included them being given access to resources as University members – this then creates challenges for licensing.
- Group shared difficulty experienced where departments grant honorary academic positions as attractions for academic engagement

	<ul style="list-style-type: none"> • This then creates issues around licensing – i.e. should they be given resource access • Common for library not to be involved/informed and therefore creates licence issues • Resource licenses not always clear about access for associate/visiting/honorary staff • Suggestion: in these scenarios, rely on if there is an employment basis not just an academic one (i.e. is there a salaried payment? If yes, give access, if no, maybe not) • Suggestion: discuss with the relevant faculty the access that giving “staff” status gives to other areas – i.e. student information – are they still happy to grant that level of access? Not a throwaway status. • Suggestion: refer to HE staff regulation definitions and use this as basis for interpreting licenses. 	
2b: Brexit	<ul style="list-style-type: none"> • Action: Caroline B due to lead discussion, but apologies sent, revisit next meeting • Silver lining for copyright - possibility of avoiding some constraints of EU – e.g. Article 13 • Group decided to revisit this when more clarity on Brexit progress available • Action: this is included in the CILIP Copyright Conference agenda, any attending to offer feedback 	<p>CB</p> <p>All</p>
2c: UKSCL/Plan S	<ul style="list-style-type: none"> • Plan S requirements ask author to retain rights if they are funded by Plan S council member (unclear if just RCUK, or all of REFable?) • UKRI draft policy is due out in summer • UKRI potentially wording that HE ‘should have method to allow author to retain copyright’ but may not reference UKSCL • Plan S brings UKSCL into focus, but UKSCL may need redraft as result • Plan S and UKSCL will not be either/or – if Plan S funded then UKSCL not option – need to take care in informing researchers of this • Consultation on UKSCL closes today (08/02/19) • UKSCL name change from ‘UK Scholarly Communications Licence’ to simply ‘UKSCL’ • This group possibly able to collectively produce guidance/learning material around Rights Retention models • Could license above material on CC-BY as tangible output of the MCG (for practical use in institutions) • Group to look at producing this post-UKRI (pencil in for September Meeting) • Action: Possibly invite additional colleagues with more Schol Comms focus to Sept meeting (if relevant) 	<p>All</p>

	<ul style="list-style-type: none"> • Action: Aston possibly have plans to implement policies around UKSCL Caroline not the OA/Research leader there but can find out and share at September meeting 	CL
3. continuation of group		
3a: Future schedule of meetings 3b: Future Activities	<ul style="list-style-type: none"> • Meet 2-4 times per year (depending on priorities) • Monday June 10th, 1-4pm, Aston University: Playtest and review Publishing trap, review Brexit scenario, feedback of audit experiences • Thursday September 5th 10am-12noon: Loughborough University: discuss UKRI draft policy, creation of learning material for UKSCL/Plan S • Secretary to prepare agendas for meetings 	CL CG LF
4. AOB		
4a: Copyright Audits	<ul style="list-style-type: none"> • Loughborough and DMU both received notification of VLE audits • Shared experience of the notification process – very informal initial contact • Both use DCS - no correlation in whether or not this triggers/defers auditing, though some audit content covers pre-DCS use • Group shared recent audit experiences; volume of modules audited, outcomes of audits and suggested improvements issued by CLA • Current audit request: 10 module sample, not necessarily from current year (i.e. back as far as 16/17) • Value of “direction of motivation” i.e. showing improvement in policy/practice is a consideration of an audit • Members previously audited reported it was a positive learning experience – i.e. CLA provided guidance on corrective practice • Spot-checks of VLE reported as being seen as positive measure within audit context • Textbook substitution an issue raised in previous audits • Previously audited members shared that poor audit resulted in “sanctions” and a closer period of monitoring by CLA • Discussion on degree of active monitoring of VLE content – varied approach but consensus that focus should be on training, policy and academic engagement – not intervention or policing 	

	<ul style="list-style-type: none"> • Suggestion: regular notifications re: Reading Lists software and how content shouldn't be uploaded to VLE • Suggestion: "Fair Dealing" briefing • Action: Charlotte and Rohit to share experience post-audit (June) 	CG&RT
4b: Comparison of roles	<ul style="list-style-type: none"> • Discussion had re: the roles of group members – "how much of your role is purely copyright? What else do you do?" • Mixed response but general trend: copyright forms only a part of a role, this creates challenges in workloads • Often those with knowledge become defacto referral point or remit holder • Other roles combined with copyright include (across the group): Wider IP and Licence management Scholarly Communications/Research Liaison Liaison Librarian Library Director Digitisation/scanning Digital Preservation Skills Training GDPR/Data Protection • Common factor: ultimate copyright escalation is to legal services colleagues 	

Date of next meeting: Monday 10th June, Aston University Library, 1-4pm