UNIVERSITY OF
BATH

Guest Speaker Media Usage Guidelines.

Document Information

Author	T.Pace				
Revised By					
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1.1 Introduction

These guidelines highlight current issues around copyright and media usage when guest speakers attended university events, particularly those that are recorded. They also outline criteria for which materials may or may possible not be used in the recording of talks, lectures and events. Processes that may permit media to be used lawfully in recorded events will be outlined. Guidance is provided on the implications and issues involved with using material protected by copyright in such scenarios.

1.2 Background

Copyright is an important consideration when organising lectures, talks or events that will be filmed. Copyright applies to all recorded works. The reuse of copyrighted work, regardless of the format of the original, is subject to obtaining permission from the rights-holder. This may be the author or creator, or more frequently, the publisher of the material. Many varieties of works are protected under copyright law; including text, film, sound recordings, scripts, musical compositions, photographs, blogs, diagrams and still images. To ensure that use of media is lawful, it is important to check with any guest speakers if they either own the rights, or have permissions or licenses, for any media created by a third party if included in their presentations.

1.3 Types of media

Media can take many forms and they can all be subject to copyright restrictions.

Here are common examples of different media types:

FILM	TELEVISION	NEW MEDIA	RADIO	OTHER AUDIO	PRINT MEDIA
Feature Film	TV programme	User-Generated Content	Radio Programme	Full-Length Recording	Books
Extract from Feature Film	Extract from TV Programme	Videocast	Extract from Radio Programme	Song/Track	Website
Extra Feature from DVD of Feature Film	Extra DVD Feature	Podcast	Non-Broadcast Radio Programme	Podcast	PDFs
Unreleased Film Material	Television Series	Webcast	Radio Advert	Archival Recording	News Papers
Film Trailer	Non-Broadcast TV Material	Webinar			News Letter
	TV Advert	Game			Magazines
	TV Ident				

2.1 Recording Guest Speaker Process

When arranging events with the intention of making a recording you must ensure that the relevant release and consent forms have been completed, and returned. It is important to keep all completed forms, they are a form of legal documentation and may be needed for future reference. There are various forms needed, depending on the type of event and audience attending. See section **2.4** (Permissions Requirements Forms) to see which forms may need completing for the type of event you plan to record.

It is important to consider the following:

- If there the event is for an internal or public audience
- If the recording will be for internal use or published publicly
- If there will be any audience participation
- If the guest speaker is aware of the necessary copyright considerations
- If the speaker signed a release form with its Included copyright statement

2.2 Hosting of guest speakers and Responsibilities

The organiser of the event on behalf of the University is responsible for:

- Ensuring guest speaker(s) are aware of necessary copyright considerations and requirements.

- Requiring guest speakers to sign any necessary consent and copyright forms

- Being aware and mindful of whether material may potentially breach copyright.

Guest Speakers are responsible for:

- Being aware and mindful to avoid copyright infringement in their presentations

- Signing any necessary consent and copyright forms

- Considering copyright when sourcing material for their presentations.

- Being aware and mindful that they are responsible for content they use.

2.3 Permissions and Consent

When an event is being recorded, it is important to put up signs informing attendees. A Location Notice Warning Form can be download from the University website (see section **3.2**). You should display a warning notice to flag up that photography or filming is going to be taking place. Verbally tell all those present that you will be photographing or filming in the group, before starting to do so, so that any individuals who wish to opt out may leave or move to the back, if appropriate.

Offer the individuals present in the audience the opportunity to sit somewhere where they will not be filmed. However, you should still inform those present that the event is being recorded and allow them to move seats (if necessary) if they wish to avoid being captured themselves.

You must get the presenter to sign a consent form prior to recording (see section **3.2**). They must ensure that they do not include in their presentation any material, which belongs to a third party, unless they have permission or a licence to do so. The consent form also permits the University to use the lecture content and any of the lecturer's performance. If any students or members of the audience participate in the lecture, for example, if they deliver a presentation they also need to sign the consent form to licence copyright and performance rights.

2.4 Permissions requirements Forms

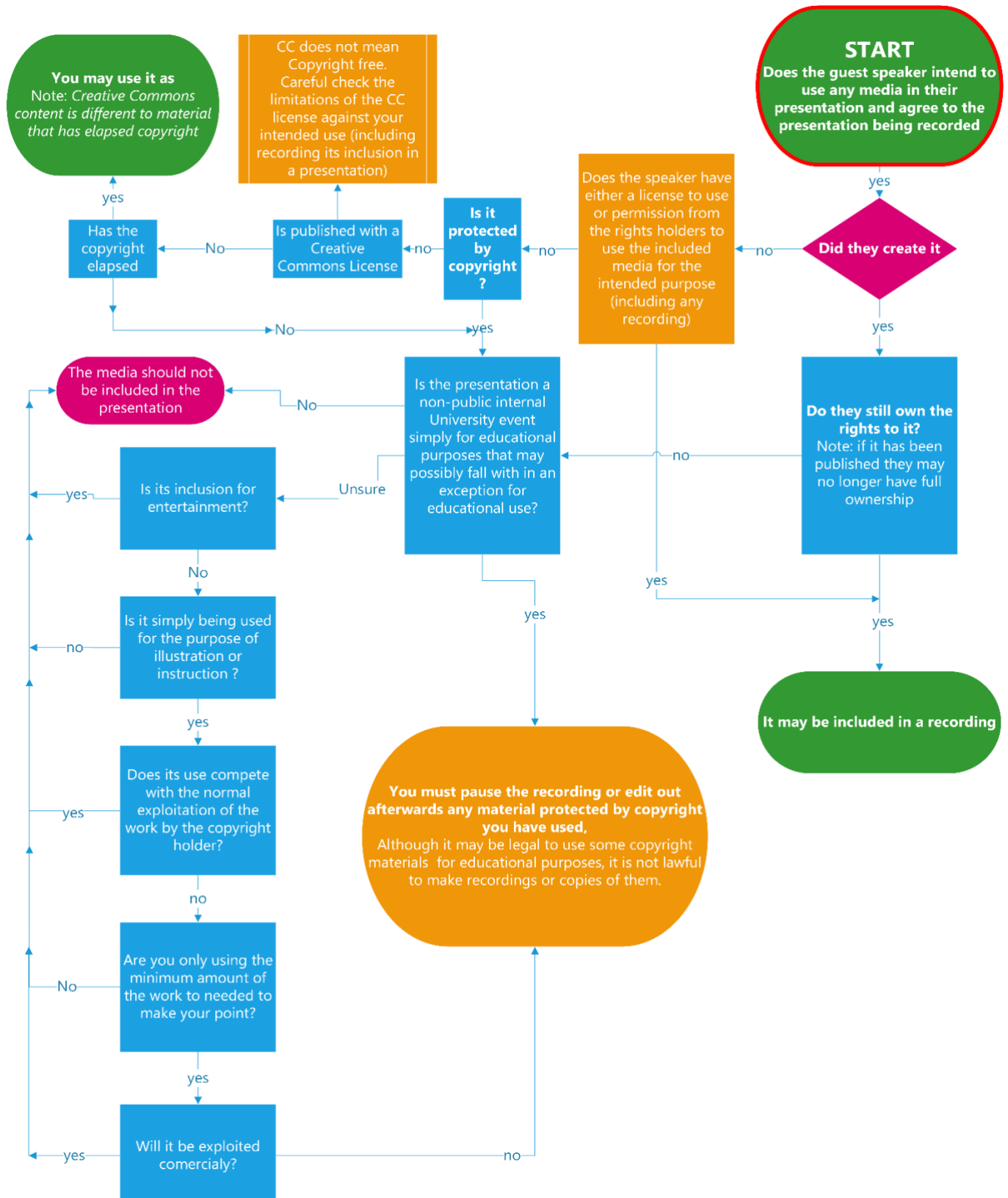This Table shows where permissions may need to be obtained when recording an event.

Created by:	Intended Audience		
	Staff	**Student**	**Public**
Staff	**Needs Form:** *Lecturer's consent form for filming/photography (internal University use only)*	**In contract**	**Needs Form:** *Lecturer's consent form for filming/photography (external audience)*
Student	**In contract**	**Needs Form:** *Consent form to photograph/film an individual (adult subject)*	N/A
Public / External	**Needs Form:** *Visiting speakers/lecturer's consent form for filming/photography (internal University use)*	**Needs Form:** *Visiting speakers/lecturer's consent form for filming/photography (internal University use)*	**Needs Form:** *Visiting speakers/lecturer's consent form for filming/photography (external audience)*
Premade (Staff Created)	**Needs Form:** *Lecturer's consent form for filming/photography (internal University use only)*	**Needs Form:** *Lecturer's consent form for filming/photography (internal University use only)*	**Needs Form:** *Lecturer's consent form for filming/photography (external audience)*
Researcher	**Needs Form:** *Lecturer's consent form for filming/photography (internal University use only)* *Consent form to photograph/film an individual (adult subject)*	**Needs Form:** *Lecturer's consent form for filming/photography (internal University use only)* *Consent form to photograph/film an individual (adult subject)*	**Needs Form:** *Lecturer's consent form for filming/photography (external audience)* *Consent form to photograph/film an individual (adult subject)*
Audience Member	*Consent form for filming/photograph for audience participant*	*Consent form for filming/photograph for audience participant*	*Consent form for filming/photograph for audience participant*

2.5 Process guide for selecting media

This may help you assist guest speakers if they are unsure if their media can be included in their presentation.

START
Does the guest speaker intend to use any media in their presentation and agree to the presentation being recorded

Did they create it

Does the speaker have either a license to use or permission from the rights holders to use the included media for the intended purpose (including any recording)

Is it protected by copyright?

Is published with a Creative Commons License

CC does not mean Copyright free. Careful check the limitations of the CC license against your intended use (including recording its inclusion in a presentation)

Has the copyright elapsed

You may use it as
Note: *Creative Commons content is different to material that has elapsed copyright*

Do they still own the rights to it?
Note: if it has been published they may no longer have full ownership

It may be included in a recording

The media should not be included in the presentation

Is the presentation a non-public internal University event simply for educational purposes that may possibly fall with in an exception for educational use?

Is its inclusion for entertainment?

Is it simply being used for the purpose of illustration or instruction ?

Does its use compete with the normal exploitation of the work by the copyright holder?

Are you only using the minimum amount of the work to needed to make your point?

Will it be exploited comercialy?

You must pause the recording or edit out afterwards any material protected by copyright you have used,
Although it may be legal to use some copyright materials for educational purposes, it is not lawful to make recordings or copies of them.

2.7 Alternative Copyright Solutions

It is not always practical to create original media content from scratch when preparing a lecture. The use of material created by others can be a convenient alternative. In context of education, there are exceptions that allow materials that have been created by someone else and are protected by copyright, to be used for educational purposes. However, the use of such material in non- educational settings, or when a lecture is being recorded raises important copyright issues.

Material or media released under a creative commons license can also be a valuable source for lecture materials and can simplify the copyright position, but their use still needs be carefully considered. There are several types of creative commons licenses and it is always important to check the particular terms to ensure that the material can be used in the way that you intend. Always read the licence carefully before using a Creative Commons image and make sure that you follow the terms and conditions it contains.

A more detailed guide for using creative commons material can be found on the University website:

http://www.bath.ac.uk/publications/media-usage-guidelines/

Information on sourcing images (UoB Digital Marketing & Communications Guide) can found here:

http://www.bath.ac.uk/guides/finding-images-to-use-on-the-website/

2.8 Attribution

When using third party sources it important that material is always attributed. This can be done in a few ways, for example:

Image/clip name *(if known)* **/ date created** *(if known)* **/ creator's name / Source** *(can be a link)*

At the very least, it should have the creator's name. It can be in line with the content or summarised at the end of your work.

The University Library has a Reference guide for citation. If in doubt, you can seek advice from copyright@bath.ac.uk

3.1 Summary

Issues of ownership of copyright and intellectual property are specified in the University's IP policy. This policy outlines who owns the copyright in the various works when a lecture is recorded. You must be mindful of copyright when using any work/material which has been created by some else. This warrants special consideration when arranging to record a guest speaker or events.

3.2 Permission Form Links

Consent and location forms Page	http://www.bath.ac.uk/data-protection/guidance/photography-filming/index.html
Consent form to photograph/film an individual (adult subject)	http://www.bath.ac.uk/data-protection/docs/filming-photography-consent-form.docx
Parent consent form to photograph/film an individual (child subject)	http://www.bath.ac.uk/data-protection/docs/parental-consent-filming-photography-consent-form.docx
Lecturer's consent form for filming/photography (internal University use only)	http://www.bath.ac.uk/data-protection/docs/filming-photography-consent-form_Lecturer_-internal_audience.docx
Lecturer's consent form for filming/photography (external audience)	http://www.bath.ac.uk/data-protection/docs/filming-photography-consent-form_Lecturer_-external_audience.docx
Consent form for filming/photograph for audience participant	http://www.bath.ac.uk/data-protection/docs/filming-photography-consent-form_audience_participation.docx
Visiting speakers/lecturer's consent form for filming/photography (internal University use)	http://www.bath.ac.uk/data-protection/docs/new_consent_form_visiting_speaker_internal_use.docx
Visiting speakers/lecturer's consent form for filming/photography (external audience)	http://www.bath.ac.uk/data-protection/docs/new_consent_form_visiting_speaker_external_use.docx
Location Notice Warning Form	http://www.bath.ac.uk/data-protection/docs/location-notice-warning-form.docx

3.3 Reference Material

Revised Intellectual Property Policy http://www.bath.ac.uk/university-secretary/legal/copyright/intellectual-property-policy.html
Photography and filming forms and information http://www.bath.ac.uk/data-protection/guidance/photography-filming/index.html
Finding images to use (Digital Marketing & Communications) http://www.bath.ac.uk/guides/finding-images-to-use-on-the-website/
Media Usage Guides http://www.bath.ac.uk/publications/media-usage-guidelines/
Creative Commons Organisation https://creativecommons.org/about/
BUFVC Audio-Visual Citation Guidelines http://bufvc.ac.uk/projects-research/avcitation
Explore Creative Commons (Flickr) https://www.flickr.com/creativecommons/

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BATH

Bath BA2 7AY · United Kingdom

Guest Speaker Check list

Planning of lecture that is to be recorded.

☐ AV unit informed of date and location for recording

☐ Audience type confirmed for selection of appropriate audience/speaker consent forms (internal/external/online)

☐ Guest speaker contacted to explain their media usage needs for compliance with University policy (included media will need necessary licenses and attributions)

☐ Guest speaker sent appropriate Consent Forms

☐ Guest speaker Consent forms signed, returned and stored by organiser and copy sent to AV unit.

☐ Location notice warning forms/signs prepared for venue and placed on each entrance

(GTA rooms will already have notices displayed)