

Guidance - Reproduction of National Curriculum Material for Wales

Number: 10

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(Revised 15 March 2008)

This guidance explains how the various National Curriculum materials for Wales may be reproduced freely. An Annex sets out the various permitted uses and corresponding obligations in summary form.

Background

1. The responsibility for the policy and implementation of the National Curriculum in Wales rests with the National Assembly for Wales and the Qualifications, Curriculum and Assessment Authority for Wales / Awdurdod Cymwysterau, Cwricwlwm ac Asesu Cymru (ACCAC), a body corporate reconstituted under section 27 of the Education Act 1997 (Chapter 44).
2. Her Majesty the Queen is the first owner of Crown copyright, as defined at section 163 of the Copyright, Designs and Patents Act 1988. The Queen has appointed the Controller of HMSO to the office of Queen's Printer of Acts of Parliament to hold and exercise Crown copyright and other copyrights owned by Her Majesty as fully as if such copyrights were the Controller's own.
3. Official material relating to the National Curriculum is published by or on behalf of the Assembly and ACCAC. The copyright in most of this material rests either with the Crown or with ACCAC, which holds copyright in its own right. This Guidance Note describes the policy regarding the reproduction of the various National Curriculum materials for Wales.

Terms used in this Guidance

4. In this Guidance Note the following terms have the meanings indicated below.

NATIONAL CURRICULUM IN WALES

National Curriculum Documents

The official framework documents on the National Curriculum published by or on behalf of the Assembly and ACCAC in March 2000. They comprise the following principal elements, each of which are separately defined:

- Programmes of Study;
- Accompanying explanatory material relating to the Programmes of Study;
- Attainment Targets.

National Curriculum Orders

The Statutory Instruments which give the National Curriculum statutory effect.

Programmes of Study

These set out for each subject what pupils should be taught.

Attainment Targets

These set out the expected standards of pupils' performance for each of the principal subjects studied in schools.

Personal and Social Education Framework

A framework to promote the personal and social development of the pupils.

Work-Related Education Framework

A framework for work-related education for 14 to 19 year olds.

Tests National Curriculum

Tests and Tasks produced by ACCAC which are set for pupils at Key Stages 1, 2 and 3 (ages 7, 11 and 14) as described in the National Curriculum Documents.

Arrangements for the reproduction of Crown protected Material

5. The following documents are subject to Crown copyright protection by virtue of their having been made by officers or servants of the Crown in the course of their duties, in accordance with section 163 of the Copyright, Designs and Patents Act 1988:

The National Curriculum Orders

6. In addition to those items covered under the previous paragraph, ACCAC has assigned its copyright in the following categories of material, which are contained within the National Curriculum Documents, to the Crown:

The Programmes of Study; and
The Attainment Targets.

Permitted Uses

7. Provided that the conditions set out in paragraphs 9 and 10 are complied with, the material listed at paragraphs 5 and 6 may be reproduced freely. This material will be of particular interest to schools and other educational establishments, but the same general freedom to reproduce the material applies equally to other users of this

material. By way of illustration, users throughout the world may undertake any of the following activities in relation to this material:

- a) reproducing and publishing the material in any medium;
- b) making multiple copies for distribution and sale;
- c) making multiple photocopies for free issue to others (e.g. schools may wish to provide photocopies to students and parents);
- d) reproducing the material for the purposes of news reporting in any medium;
- e) making single or multiple copies by photocopying or any other means, for the purpose of research and private study;
- f) publishing the material on the Internet;
- g) reproducing the material on Intranet sites;
- h) making of single or multiple copies by libraries (by photocopying or any other means) for supply to readers, subject to the overriding need for prescribed libraries to recoup their costs as set out in S.I. 1989 No. 1212;
- i) copying by libraries for the purposes of supplementing or replenishing their stocks;
- j) making copies for circulation throughout an organisation whether in the private or public sector;
- k) reproduction within the context of seminar and training packs;
- l) reproduction within student theses and dissertations;
- m) translating into other languages.

The above list is by no means exhaustive, but it seeks to illustrate the majority of potential uses of the Crown protected material.

Conditions on Use of Crown protected Material

8. Reproduction of the Crown protected material listed in paragraphs 5 and 6 is conditional on the following terms being complied with:

- a) all reproduction of the material should be made from the official published versions of the National Curriculum Documents. This means the versions published by or on behalf of the Assembly or ACCAC. The right to reproduce the Crown protected material does not extend to the material if it is contained in works published by or on behalf of ACCAC which support the implementation of the National Curriculum (other than in the context

of the National Curriculum Documents). Similarly, users do not have an automatic right to reproduce the material from other sources, such as commercial products published by educational publishers, for example;

b) the material must be reproduced accurately. In the case of translations into other languages, a competent translator must be used especially in those cases where the translation is to be issued to the public;

c) care should be taken that the material reproduced is from the current or up to date published version, and that out of date material is not presented as though it were current. Where out of date material is being reproduced for the purposes of drawing comparisons with current material or similar analysis, it should be made clear that the material in question has been superseded, with appropriate cross references. Where the material is being featured on Internet or Intranet sites, all reasonable efforts should be taken to regularly review the material featured and to delete any material which is no longer current;

d) the material should not be used in a derogatory or misleading manner; nor should it be used for the purposes of advertising or promoting a particular product or service or for promoting particular interests or views;

e) the reproduced versions of the material should not be presented in a way which could imply it has the same authoritative status as the officially published versions of the works which are endorsed and published by or on behalf of the Assembly or ACCAC;

f) the Royal Arms and any Assembly or ACCAC logos or similar images which may be featured on the officially published versions of the works published by or on behalf of the Assembly and ACCAC, should be removed from any copies of the material which are issued or made available to the public. This applies equally to those cases where the material is being reproduced on the Internet and on Intranet sites;

g) the material is acknowledged appropriately as indicated in paragraph 9 below. For translations into other languages, the copyright acknowledgement should be given in both English or Welsh (as appropriate) and in the language in which the material is being translated.

9 . Where the material is being published, circulated or issued to others - including Internet and Intranet use - the source of the material must be stated and the following acknowledgement should be used:

For the items covered under paragraph 5 - Crown Copyright material is reproduced with the permission of the Controller of HMSO and the Queen's Printer for Scotland and/or, where appropriate - Hawlfraint y Goron. Atgynhyrchwyd o dan dermau Nodyn Canllaw 10 HMSO.

Where the material is being photocopied, a hand-written acknowledgement would be acceptable.

10. You may find the summary of permitted uses and the corresponding obligations for the Crown protected copyright as set out in Annex A to this Guidance Note useful.

Arrangements for Non-Crown material

11. The copyright in the accompanying explanatory material relating to the Programmes of Study in the National Curriculum rests with the ACCAC. ACCAC recognise the importance of disseminating this material and have agreed that it can be reproduced under the same conditions as the Crown protected material (see paragraphs 7 and 8, and Annex A). In reproducing this material, however, the following acknowledgement is required:

© Qualifications, Curriculum and Assessment Authority for Wales. Reproduced under the terms of HMSO Guidance Note 10 and/or, where appropriate in Welsh:

© Awdurdod Cymwysterau, Cwricwlwm ac Asesu Cymru. Atgynhychwyd o dan dermau Nodyn Canllaw 10 HMSO.

12. The copyright in the following categories of material also rests with ACCAC and must not be reproduced without ACCAC's permission, unless such use falls within the scope of paragraph 14:

- The Tests;
- Information, documentation and guidance originated by ACCAC which support the implementation of the National Curriculum, the Personal and Social Education (PSE) and Work-Related Education (WRE) frameworks.

All applications should be sent to ACCAC at the address given at paragraph 17.

13. The terms for the reproduction of ACCAC copyright material are available on request from ACCAC at the address given at paragraph 17.

14. Specific permission from ACCAC for the material listed in paragraph 12 is not required in those cases where the user is reproducing extracts for the purposes of research, private study, criticism or review or any of the other permitted uses described in the Copyright, Designs and Patents Act 1988. This is subject to the source of the material being appropriately acknowledged, including a statement to the effect that the copyright in the material rests with the Qualifications, Curriculum and Assessment Authority for Wales / Awdurdod Cymwysterau, Cwricwlwm ac Asesu Cymru.

Other Information

15. If any of the material contained in the items listed in paragraphs 5, 6 and 11 is marked as belonging to any copyright owner other than the Crown (including the Queen's Printer and Controller of HMSO) or ACCAC, then the permitted uses in

paragraph 8 do not apply. In such circumstances, users would need to obtain permission from the appropriate copyright holder before reproducing the material.

16. Any queries in relation to this Guidance Note, particularly with regard to the Crown protected material, should be addressed to OPSI's Information Policy Team at the following address:

Office of Public Sector Information
Information Policy Team
Kew
Richmond
Surrey
TW9 4DU

e-mail: licensing@opsi.gov.uk

17. Applications to reproduce ACCAC copyright protected material or queries in relation to licensing terms for ACCAC copyright should be sent to the following address:

The Qualifications, Curriculum and Assessment Authority for Wales
Castle Buildings
Womanby Street
Cardiff
CF10 9SX

Tel: 029 2037 5400
Fax: 029 2034 3612
e-mail: info@accac.org.uk

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