

# A Permanent Secretary's Guide to Copyright

As Accounting Officer, you are responsible for making sure your department is meeting its obligations in relation to copyright. You must ensure that any work created by your department is compliant with copyright law and Crown copyright policy. We encourage the use of Crown information and it is open by default.

## What is meant by copyright?

Copyright is an intellectual property right that protects material that people create. When original work is created it automatically qualifies for copyright protection. Original work can include charts and images, reports and guidance documents, websites and blog posts.

When an original work is created by civil servants in the course of their duties it will automatically belong to the Crown and become Crown copyright. If you wish to include photographs, images or text that are not Crown copyright in work you produce you will need permission from the copyright owner.

Copyright is sometimes shown by using the copyright symbol © but **even material without the symbol** is protected by copyright.

## Civil servants and copyright

All civil servants have a responsibility to respect copyright. You have an obligation to ensure that your staff are aware of their responsibilities before using material created by others. They must:


- identify who the copyright holder is, and **ask for permission to re-use the work** on behalf of HMG, in **print and in electronic form, throughout the world for the duration of the copyright**
- **acknowledge the copyright holder** once permission has been granted (if they have asked to be acknowledged). This is usually done by including a line of text giving them credit for their material
- never use pictures, text or images without the permission of the copyright holder **unless the material is available under an open licence**. This is especially important for all civil servants because they are representing HMG

## Open Government Licence

All material produced by civil servants at work belongs to the Crown. The default licence for Crown copyright is the [Open Government Licence \(OGL\)](#).

Crown copyright is legally defined under [section 163 of the Copyright, Designs and Patents Act 1988](#) as *works made by officers or servants of the Crown in the course of their duties*. Crown copyright covers material created by civil servants, ministers and government departments and agencies. This includes legislation, government codes of practice, Ordnance Survey mapping, government reports, official press releases, government forms and many public records.

Crown copyright is administered by the Controller of Her Majesty's Stationery Office from The National Archives. Any application to deviate from OGL as the default licence for Crown copyright must be submitted to the Information Policy team at The National Archives and can only be authorised by the Controller.

	Material made available under the Open Government Licence means that anyone is free to:
	Copy, publish, distribute and transmit the information
	Adapt the information
	Exploit the information commercially and non-commercially, i.e. by combining it with other information

This means you can use other civil servants' work and it makes information **OPEN**, **ACCESSIBLE** and **REUSEABLE** for all.

If you wish to use any images or text that are not made available under OGL you must make sure you have **permission from the copyright holder**. This includes information you find on the **internet**.

### Why should I care about it?

- It's the law. If copyright material is re-used without permission of the copyright owner, it constitutes a copyright infringement. Under UK law, copyright infringement is a criminal offence and legal proceedings can be taken
- There is significant risk to the reputation of your department, and to you personally, if you fail to comply with copyright
- The re-use and adaptation of Crown copyright information can save your department time, money and resources

### What do I need to know?

- Copyright is an intellectual property right
- You need permission to use material you find online
- The OGL means anyone can use and re-use your work and this we encourage
- Always acknowledge the copyright holder
- Never use material without permission

### What do I need to do?

- Lead by example and always show respect for copyright
- Ensure there is clear accountability among staff and that compliance is being managed and reported
- Ensure that staff are aware of their responsibilities relating to copyright
- Ensure copyright is a central consideration when creating and re-using information for internal use and outside government

For information about licensing Crown and other copyright material and using the Open Government Licence visit [The National Archives' UK Government Licensing Framework](#)