

Chatsworth Settlement Trustees, Chatsworth House Trust and the Duke and Duchess of Devonshire ('Chatsworth')

COPYRIGHT POLICY

1) Introduction and background

Copyright enables the holder to permit or prohibit copying of material. It can be bought, sold, given away or otherwise traded. Chatsworth owns, generates and makes use of a range of items protected by IPR legislation. Current UK legislation is the 1988 Copyright, Designs and Patents Act. This has been modified by a number of Statutory Instruments, which follow from EU Directives.

2) Aim of Policy

The aim of this policy is to ensure all Chatsworth staff are aware of their responsibilities and obligations in relation to IPR, including rights owned by Chatsworth as well as those owned by others, in order to minimise risk of infringement. IPR is a valuable asset the understanding of which this policy aims to improve.

3) Definitions

Intellectual Property Rights are a group of legal rights relating to 'intangible' property. The IPRs most immediately relevant to Chatsworth are as follows:

- **Copyright** – currently for the creator's lifetime plus 70 years after the end of the calendar year they die.
- **Database right** – duration is 15 years from the end of the calendar year in which the database was completed.
- **Moral rights** relate to the individual creator's honour or reputation
- **Publication right** – duration is 25 years from the end of the year in which the work is first published.
- A **trademark** is a word, name, symbol or device
- **'Performance' rights** relate to both live and recorded performances

4) Statement of principles

Chatsworth

- is committed to complying with all relevant IPR legislation;
- performs its legal duties in the interests of good relationships and reputation;
- is committed to promoting best practice in IPR administration within and beyond Chatsworth;
- aims to acquire IPR and IPR licences in respect of its activities and the objects in its possession;
- is committed to delivering subsidised access to its IPR assets for educational and research activities;
- is committed to protecting, enhancing and realising the commercial value of its IPR,;
- aims to provide the very highest quality IPR content, including definitive photography of items in its collection and authoritative captioning;
- aims to empower its staff skilfully to administer their responsibilities in respect of IPR

5) Responsibilities

Chatsworth House Trust (CHT) and Chatsworth Settlement Trustees (CST) are the legal entities which own Chatsworth's IPR and are ultimately required to ensure compliance with the Act and other legislation.

Individual members of staff are responsible for ensuring they act within the scope of the law. Responsibility for clearing rights with the rights holder rests with each individual manager.

6) Procedures

This policy document is available to all staff and to the general public, via Chatsworth's website.

IPR provisions are written into Chatsworth's contracts with staff, volunteers and freelancers.

The Photo Library's practice in commercial and educational image licensing, and in policing Chatsworth's copyright, is regularly reviewed and kept in line with best picture library practice.

Chatsworth consults with and is a member of the Museums Copyright Group, the British Association of Picture Libraries & Agencies and consults with JISC, MDA, Collections Trust and others.

The Trading Department controls and promotes the use of Chatsworth's brand commercially, developing Chatsworth's reputation and the value of the brand.

All records created by Chatsworth staff in the fulfilment of their role as employees of Chatsworth, including writing, photographs, videos, slides and electronic data, belong to Chatsworth and Chatsworth owns the copyright in them. In instances where the boundaries of what constitutes an individual's official role may be slightly unclear, the onus is upon employees to agree with their line manager any rights they wish to reserve, in order to avoid confusion of ownership at a later date.

7) Breach of Policy

Breach of copyright and other IPR laws may render both Chatsworth and individuals liable to both civil and criminal proceedings.

8) Review

This policy will be reviewed every three years. Next review: 2012.

9) Date of Approval