

# COMPI205

Professional Development

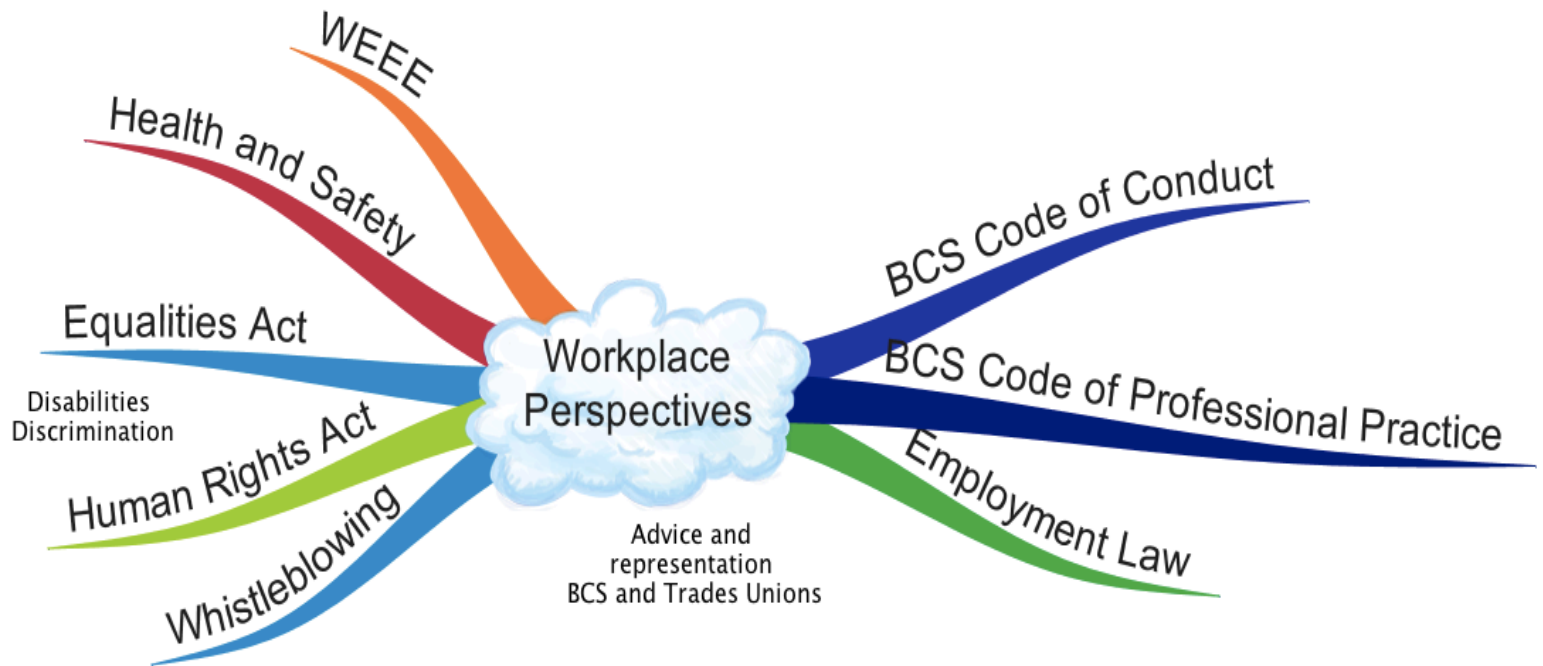
Legal, professional and ethical perspectives

Legislation 2

Dr. Su White



# Workplace Perspectives



Based on module needs and past experience



# WHAT IS IMPORTANT...



# You are not learning to be a lawyer

But with this module

- develop some legal awareness
- think about your rights
- think about your responsibilities

Law in the workplace

- Contracted to/retained by your employer
- Employed in your organisation

Membership benefit

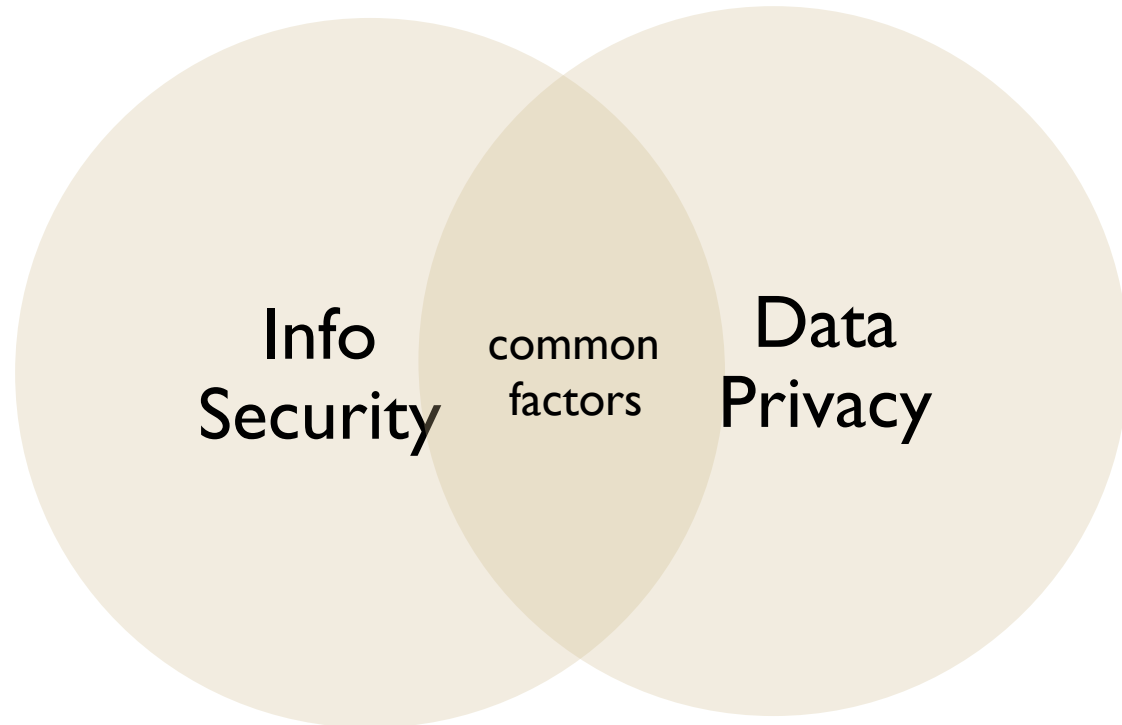
- Professional bodies
- Trades Unions



# Understand the extent of the area



# Example: power & responsibility



## professional and legal issues might include

intellectual property  
creative commons  
e-commerce  
environment  
freedom of information  
green ICT  
code of conduct  
professionalism  
open data  
open source  
digital futures  
accessibility  
employment rights  
employment rights  
e-government  
file-sharing  
equality  
globalisation  
security  
defamation  
academic ethics  
semantic web  
inclusivity  
computer crime  
outsourcing  
localisation  
professional bodies  
linked data  
civic duty  
libel  
social enterprises  
rights management  
digital management  
health and safety  
free speech  
surveillance  
responsibility  
pornography  
hacking  
data protection  
privacy  
digital divide  
copyright  
discrimination  
censorship  
ethics  
morals

Professional Issues: Perspectives indicative list and categorisation - some topics are listed under more than one heading

**Legal contexts  
and awareness**

Libel and defamation  
Crime online/ cyber-security  
Pornography  
Fraud  
Hacking  
Green ICT  
Legislation in workplace  
contexts

**Global responsibilities/  
civic Responsibilities**

Environment  
Digital divide  
E government  
Globalisation  
Social enterprise  
Think global act local  
Responsibilities  
Freedom of information  
Outsourcing  
Public awareness of science  
Globalisation

**Workplace contexts  
and equality**

Organisations/business models  
Codes of conduct  
Data Protection Act  
Computer crime  
Whistleblowing  
Good practice  
Employment rights and law  
Health and safety  
Industrial tribunals  
Discrimination  
Accessibility  
Inclusivity

**Technology watch/  
Digital futures**

Open data  
Open source  
Augmentation  
Web 3.0/Semantic Web  
Linked Data  
E-commerce  
Emerging Business Models

**Digital Rights and Wrongs**

Copyright  
Copyleft  
Creative commons  
File sharing  
Intellectual property  
Digital rights management  
Privacy/security  
Ethical Computing

**Personal ethics/Rights and  
responsibilities**

Academic ethics  
Civic duty  
Censorship  
Freedom of speech  
Defamation  
Whistleblowing  
Ethics  
Surveillance  
Professionalism  
Codes of conduct  
Professional bodies  
Professional practice  
Trades unions

These slides are the content of this week's material



# **WORKPLACE ISSUES**

# Overview:

Workplace rights

Workplace responsibilities

Respecting others' work

# Key legal areas

- Communications Act 2003 section 127 (Came into force 25th July 2003 replaced s43 Telecommunications Act 1984)
- Computer Misuse Act 1990
- Copyright design and patents 1988
- Data Protection Act 1998
- Defamation Act 1996
- Disabilities Discrimination Act
- Digital economy act 2010
- Electronic Commerce (EC Directive) Regulations 2002
- Electronic waste disposal
- Equalities Act 2010
- Health and Safety at work 1974
- Harassment protection act 1997
- Human rights act 1998
- Malicious Communications Act 1988 section 1
- Postal Services Act 2000 section 85 (commenced 26th March 2001)
- Regulation of Investigatory Powers Act 2000

**Which topics are relevant in the work context ?**

# Workplace specific Areas

- Communications Act 2003 section 127 (Came into force 25th July 2003 replaced s43 Telecommunications Act 1984)
- Computer Misuse Act 1990
- Copyright design and patents 1988
- Data Protection Act 1998
- Defamation Act 1996
- Disabilities Discrimination Act
- Digital economy act 2010
- Electronic Commerce (EC Directive) Regulations 2002
- Electronic waste disposal
- Equalities Act 2010
- Health and Safety at work 1974
- Harassment protection act 1997
- Human rights act 1998
- Malicious Communications Act 1988 section 1
- Postal Services Act 2000 section 85 (commenced 26th March 2001)
- Regulation of Investigatory Powers Act 2000

**Which topics are relevant today?**



# Broad Scope

## Employment Legislation

- Getting a job
- Keeping a job
- Your rights whilst working

## Equality in the workplace

- Equality Act 2010
- Sex Discrimination Act 1975
- Equal Pay Act 1970
- Disabilities Discrimination Act 1995
- Agency Workers Regulations 2010

- Trades Unions
- ACAS, and Employment Disputes
- Harassment and Bullying
- Whistleblowing
- Health and Safety at Work
- Professional Bodies
  - Working Practice
  - Codes of conduct

# Can include...

- Working time regulations
- Trades Unions and Collective Rights
- Part time Work
- Fixed Term Work
- Employment Tribunals and Dispute Resolution
- Work and Parents/ Care duties
- Maternity
- Parental Leave
- Time off for Dependents
- Employment Act 2002
- Equality Act 2010

# Employment....

- Pay
- National Minimum Wage
- Employment Contracts and Conditions
- Time off and Holidays
- Flexible Working
- Working Hours
- Sickness Absence
- Business transfers and takeovers
- Starting a new job

Employment terms and conditions incorporate

# Find out for yourself

## Employers

- Expect you to be aware
- You are making decisions about your future
  - Equip yourself with the information to make informed personal decisions

## Our Module

- Expect you to be aware
- You are going to take an exam
  - Equip yourself with the information to answer the questions
  - Work collaboratively
  - Research and prepare

Walkthrough some new areas



# **TAKING A WORKPLACE PERSPECTIVE**

# The Equality Act 2010

**Directgov**  
Public services all in one place

Cymraeg | Accessibility | Help | Site index | **A A**

Search this site  **Go**

Home | Contacts | Do it online | Newsroom Tuesday, 23 November 2010

**Browse by subject**


- Crime and justice
- Education and learning
- Employment
- Environment and greener living
- Government, citizens and rights
- Health and well-being
- Home and community
- Money, tax and benefits
- Motoring
- Pensions and retirement planning
- Travel and transport

**Browse by people**

- Young people
- Britons living abroad
- Caring for someone
- Disabled people

**Disabled people**

## Employment rights and the Equality Act 2010



Disabled workers share the same general employment rights as other workers. However, there are also some special rights for disabled people under the Equality Act 2010. Learn more about your rights and the Equality Act 2010.

### Employers and the Equality Act 2010

Under the Equality Act 2010, it is unlawful for employers to discriminate against disabled people. The disability parts of the act cover:

- application forms
- interview arrangements
- aptitude or proficiency tests
- job offers
- terms of employment including pay
- promotion, transfer and training opportunities
- work-related benefits such as access to recreation or refreshment facilities
- dismissal or redundancy
- discipline and grievances

**See also...**

- ▶ Employment contracts and conditions (general employment section)
- ▶ Working hours and time off (general employment section)

**Do it online**

- ▶ Complete your Self Assessment tax return online
- ▶ Putting together a flexible working case
- ▶ Maternity, paternity and adoption rights
- ▶ Find schools, childcare services and Sure Start Children's Centres

<http://bit.ly/eqact2010>

# Disability Discrimination Act 1995

Home About Us Browse Legislation New Legislation Changes to Legislation Search Legislation

Title:  Year:  Number:  Type: All Legislation  [Advanced Search](#)

## Disability Discrimination Act 1995

1995 c. 50 [Table of Contents](#)

[Table of Contents](#) [Content](#)

[Plain View](#) [Print Options](#)

### What Version

Latest available (Revised)

Original (As enacted)

### Opening Options

[Collapse all -](#)

Introductory Text

#### Part I Disability

1. Meaning of "disability" and "disabled person".
2. Past disabilities.
3. Guidance.

#### Part II Employment

*Discrimination by employers*

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to Disability Discrimination Act 1995. Those changes will be listed when you open the content using the Table of Contents below. Any changes that have already been made by the team appear in the content and are referenced with annotations.

More notes see <http://www.edshare.soton.ac.uk/10686/>

# Harassment

unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating and intimidating, hostile, degrading, humiliating or offensive environment for that individual

The Equality Act 2010



# Chartered Institute of Personnel and Development



Go to  
Sitemap  Go  
Subjects  Go

Search for   
Advanced Search Help with search

[Home](#) > [Subjects](#) > [Diversity and equality](#) > [Bullying and harassment](#)

## Harassment and bullying at work

### Diversity and equality

- General
- Age discrimination
- Bullying and harassment
- Disability
- Equal pay
- Ex-offenders
- Race discrimination
- Religious discrimination
- Sex and sexual orientation discrimination

Revised October 2010

This factsheet gives introductory guidance. It covers:

- what is harassment and bullying?
- what do harassment and bullying look like?
- the legal position
- responsibilities of employers and employees
- dealing with complaints
- the CIPD viewpoint.

### What do we mean by harassment and bullying?

In the Equality Act 2010 harassment is defined as 'unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.'

Bullying is not specifically defined in law, but in their advice leaflet for employees<sup>1</sup> Acas give the following definition: 'Bullying may be

- [Printable version](#)
- [Discuss this subject](#)
- [Enlarge text size](#)
- [Email a colleague](#)
- [Edit 'My profile'](#)

### Training courses

- [Bullying and Harassment at Work](#)
- [Counselling in the Workplace](#)

### Related publications



<http://www.cipd.co.uk>

macdonald

# Whistleblowers...

an informant who exposes wrongdoing within an organization in the hope of stopping it; "the law gives little protection to [... wordnetweb.princeton.edu/perl/webwn](http://wordnetweb.princeton.edu/perl/webwn)

A whistleblower is a person who alleges misconduct. More complex definitions may be used, but the issue is that the whistleblower usually faces reprisal. [...en.wikipedia.org/wiki/Whistleblower](http://en.wikipedia.org/wiki/Whistleblower)

whistle-blower - One who reports a problem or violation to the authorities; especially, an employee or former employee who reports a violation by an employer  
[en.wiktionary.org/wiki/whistle-blower](http://en.wiktionary.org/wiki/whistle-blower)

whistleblowing - the disclosure to the public or to authorities, usually by an employee, of wrongdoing in a company or government department  
[en.wiktionary.org/wiki/whistleblowing](http://en.wiktionary.org/wiki/whistleblowing)

whistle blower - An employee who has inside knowledge of illegal activities occurring within his or her organization and reports these to the public.  
[investor.lilly.com/glossary.cfm](http://investor.lilly.com/glossary.cfm)

Any person who makes a disclosure about improper conduct by public bodies and public officers under the Whistleblowers Protection Act 2001  
[www.ombudsman.vic.gov.au/www/default.asp](http://www.ombudsman.vic.gov.au/www/default.asp)



# Whistleblowing rights

**Directgov**

Public services all in one place

Cymraeg | Accessibility | Help | Site index | **A A A**

Search this site  **Go** 

[Home](#) | [Contacts](#) | [Do it online](#) | [Newsroom](#)

Tuesday, 8 December 2009

## Browse by subject

- ▶ Crime and justice
- ▶ Education and learning
- ▼ Employment
  - ▼ Problems at work
    - ▶ **Whistleblowing in the workplace**
- ▶ Environment and greener living
- ▶ Government, citizens and rights
- ▶ Health and well-being
- ▶ Home and community
- ▶ Money, tax and benefits
- ▶ Motoring
- ▶ Pensions and retirement planning
- ▶ Travel and transport

## Browse by people

- ▶ Young people
- ▶ Britons living abroad
- ▶ Caring for someone
- ▶ Disabled people

## Employment

### Blowing the whistle on workplace wrongdoing



If you are blowing the whistle on malpractice or wrongdoing in the workplace you should make the disclosure (reveal the information) to your employer or to 'a prescribed person' so that your employment rights are protected.

### Blowing the whistle to your employer

If you are blowing the whistle on malpractice in the workplace you should strongly consider making the disclosure to your employer. If you make a disclosure to your employer it will help to make sure that your concerns are dealt with quickly and by the right person.

If you work for a small company, the right person to resolve your concerns may be the director of the company.

You should check your employment contract to see if your company has a process to help you make the disclosure. In some situations your employer might adapt the procedure, for example to allow confidential disclosures.

- ▶ [Protection of whistleblowers](#)
- ▶ [Employment contracts](#)

### Blowing the whistle to a prescribed person

If you feel unable to use your company's disclosure procedure then there are other prescribed people you can make the disclosure to.



You can only make a disclosure to a prescribed person if you:

- make the disclosure in good faith
- reasonably believe the information you are disclosing is substantially true

## Do it online

- ▶ [Calculate your redundancy payment](#)
- ▶ [Start a job and skills search](#)
- ▶ [Personalised help on your maternity, paternity or adoption rights](#)
- ▶ [More online tools](#)

## Useful contacts

- ▶ [Acas \(Advisory, Conciliation and Arbitration Service\)](#)
- ▶ [Citizens Advice Bureau](#)
- ▶ [Jobcentre Plus](#) 
- ▶ [businesslink.gov.uk](#) 
- ▶ [More useful contacts](#)

[http://www.direct.gov.uk/en/Employment/ResolvingWorkplaceDisputes/Whistleblowingintheworkplace/DG\\_175821](http://www.direct.gov.uk/en/Employment/ResolvingWorkplaceDisputes/Whistleblowingintheworkplace/DG_175821)

# Public Interest Disclosure Act 1998



delivered by  
The National Archives

Help Site Map Accessibility Contact Us

Home About Us Browse Legislation New Legislation Changes to Legislation Search Legislation

Title:  Year:  Number:  Type: All Legislation  Search

Advanced Search

## Public Interest Disclosure Act 1998

1998 c. 23 Table of Contents

Table of Contents

Content

Plain View

Print Options

### What Version

Latest available (Revised)

Original (As enacted)

### Opening Options

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to Public Interest Disclosure Act 1998. Those changes will be listed when you open the content using the Table of Contents below. Any changes that have already been made by the team appear in the content and are referenced with annotations.

#### Introductory Text

1. Protected disclosures.
2. Right not to suffer detriment.
3. Complaints to employment tribunal.
4. Limit on amount of compensation.
5. Unfair dismissal.
6. Redundancy.
7. Exclusion of restrictions on right not to be unfairly dismissed.

<http://www.legislation.gov.uk/ukpga/1998/23/contents>

# Employment Tribunals

 **Tribunals Service**  
Employment

Tribunals Service | Feedback | Search | Contact us

Committed to clearer communication

Wednesday 24 November 2010

[About us](#) [Part-time workers](#) [Forms & Guidance](#) [Rules & Legislation](#) [Publications](#) [Hearing centres](#)

[FAQ](#)

[You are here](#) > Home

## Latest News

**03 September 2010**  
Stats show Employment Tribunals delivering under pressure [↗ Link to Ministry of Justice website](#)

**05 August 2010**  
Official Statistics of the Employment Tribunals Members recruitment exercise held across Great Britain, showing diversity [↗ Link to Tribunals Service website](#)

**6 April 2010**  
Postcodes change

**22 March 2010**  
From 6 April 2010 Public Disclosure ('whistleblowing') claims



<http://www.employmenttribunals.gov.uk/>

# Tribunals can consider....

<b>CEC 1975</b>	Colleges of Education (Compensation) Regulations 1975
<b>COMAH 1999</b>	Control of Major Accident Hazards Regulations 1999
<b>DCOA 1994</b>	Deregulation and Contracting Out Act 1994
<b>DDA 1995</b>	Disability Discrimination Act 1995
<b>DRC 1999</b>	Disability Rights Commission Act 1999
<b>EE(Age) Regs 2006</b>	Employment Equality (Age) Regulations 2006
<b>EE (Religion or Belief) Regs 2003</b>	Employment Equality (Religion or Belief) Regulations 2003
<b>EE (Sexual Orientation) Regs 2003</b>	Employment Equality (Sexual Orientation) Regulations 2003
<b>EPA 1970</b>	Equal Pay Act 1970
<b>ERA 1996</b>	Employment Rights Act 1996
<b>ERelA1999</b>	Employment Relations Act 1999

# Tribunals can consider....

<b>ETA 1996</b>	Employment (Industrial) Tribunals Act 1996
<b>FTE 2002</b>	Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002
<b>FWR 2002</b>	Flexible Working (Procedural Requirements) Regulations 2002 and Flexible Working (Eligibility, Complaints and Remedy) Regulations 2002
<b>HSCE 1996</b>	Health and Safety Consultation with Employee Regulations 1996
<b>HSWA 1974</b>	Health and Safety at Work Act 1974
<b>MPL 1999</b>	Maternity and Parental Leave Regulations 1999
<b>MPL 2002</b>	Maternity and Parental Leave (Amendment) Regulations 2002
<b>NESE 1994</b>	Notification of Existing Substances (Enforcement) Regulations 1994
<b>NMWA 1998</b>	National Minimum Wage Act 1998
<b>PAL 2002</b>	Paternity and Adoption Leave Regulations 2002
<b>PIDA 1998</b>	Public Interest Disclosure Act 1998
<b>PTW 2000</b>	Part Time Worker (Prevention of Less Favourable Treatment) Regulations 2000



# Tribunals can consider....

<b>RRA 1976</b>	Race Relations Act 1976
<b>SDA 1975</b>	Sex Discrimination Act 1975
<b>SRSC 1977</b>	Safety Representatives and Safety Committees Regulations 1977
<b>SSPA 1975</b>	Social Security Pensions Act 1975
<b>STA 1994</b>	Sunday Trading Act 1994
<b>TCA 2002</b>	Tax Credits Act 2002
<b>TULR(C) 1992</b>	Trade Union and Labour Relations (Consolidation) Act 1992
<b>TUPE 1981</b>	Transfer of Undertakings (Protection of Employment) Regulations 1981
<b>TURER 1993</b>	Trade Union Reform and Employment Rights Act 1993
<b>WTR 1998</b>	Working Time Regulations 1998
<b>RT (WT) R 2005</b>	Road Transport (Working Time) Regulations 2005





# **AGENCIES AND INTEREST GROUPS**

# Such as...

- Government agencies
- Charities and action groups
- Professional bodies
- Trades Unions
  
- The next few slides give some examples, you need to familiarise yourself with these sources
- Opportunities
  - Revision for the stage test
  - Preparation for the case study

Be aware of agencies



# **ALSO USEFUL SOURCES OF INFORMATION**

Which can be useful for revision

# Public Concern at Work



**public  
concern  
at work**

## Making whistleblowing work

020 7404 6609

[Contact](#) | [Site Map](#)

- | Home
- | About Us
- | FAQ
- | Individuals
- | Organisations
- | Policy
- | Schools
- | Law
- | News

## Silence isn't always golden

Public Concern at Work (PCaW) is the independent authority on public interest whistleblowing. Established as a charity in 1993 following a series of scandals and disasters, PCaW has played a leading role in putting whistleblowing on the governance agenda and in developing legislation in the UK and abroad. All our work is informed by the free advice we offer to people with whistleblowing dilemmas and the professional support we provide to enlightened organisations.



<h3>Help for individuals</h3>	<h3>Help for organisations</h3>	<h3>Help for the NHS</h3>	<h3>Latest news from PCaW</h3>
---------------------------------------	---	-----------------------------------	--

<http://www.pcaw.co.uk/>

# Equality and Human Rights Commission

The screenshot shows the homepage of the Equality and Human Rights Commission. At the top, there is a navigation bar with a text size selector (A A A), a color selector (white, yellow, black), an accessibility statement link, and a site search box with a 'GO' button. Below this is the main header with the Commission's logo and the tagline 'Creating a fairer Britain'. To the right of the tagline, there are links for 'Advice from our Helpline' and phone numbers for England (0845 604 6610), Scotland (0845 604 5510), and Wales (0845 604 8810). A secondary navigation bar contains links for Home, About us, Human rights, Key projects, Advice and guidance, Legal and policy, and Publications. The main content area features a large image of an elderly man cooking, with the headline 'Home care Inquiry launched'. To the right of this image is a 'Latest news' section with three items: 'Commission supports legal victory for pregnant woman' (15 November 2010), 'Commission launches Inquiry into home care of older people' (10 November 2010), and 'Commission welcomes ruling on rights of social housing tenants' (04 November 2010). Further right, there are sections for 'The Commission in Scotland' and 'The Commission in Wales', 'Equality Act comes into force' (with a brief description of the Act), and 'Guidance and good practice' (with a brief description of the updated advice and guidance section). A 'more news' link is also present. At the bottom of the news section, there is a 'Scotland news' section with a link for 'Human Trafficking' and a partial image of a man's face.

Text size A A A Colour Accessibility Statement Cymraeg Site search GO

**Equality and Human Rights Commission** Creating a fairer Britain

Advice from our Helpline England 0845 604 6610 Scotland 0845 604 5510 Wales 0845 604 8810

Home About us Human rights Key projects Advice and guidance Legal and policy Publications

**Home care Inquiry launched**

Find out about our Inquiry into the human rights of older people receiving home-based care in England. We have just launched our call for evidence - let us know about your experiences.

**Latest news**

**Commission supports legal victory for pregnant woman**  
15 November 2010

**Commission launches Inquiry into home care of older people**  
10 November 2010

**Commission welcomes ruling on rights of social housing tenants**  
04 November 2010

[▶ more news](#)

**Scotland news**

**Human Trafficking**

**The Commission in Scotland**  
**The Commission in Wales**

**Equality Act comes into force**  
The Equality Act 2010 replaces the existing anti-discrimination laws with a much easier and consistent single Act. View our new online resources and make sure you know how the new Equality Act law affects you.

**Guidance and good practice**  
View our newly updated Equality Act advice and guidance section containing key information for employers, workers, service providers, service users and education providers.

<http://www.equalityhumanrights.com/>

# Public Concern at Work



**public  
concern  
at work**

## Making whistleblowing work

020 7404 6609

Contact | Site Map

- | Home
- | About Us
- | FAQ
- | Individuals
- | Organisations
- | Policy
- | Schools
- | Law
- | News

## Silence isn't always golden

Public Concern at Work (PCaW) is the independent authority on public interest whistleblowing. Established as a charity in 1993 following a series of scandals and disasters, PCaW has played a leading role in putting whistleblowing on the governance agenda and in developing legislation in the UK and abroad. All our work is informed by the free advice we offer to people with whistleblowing dilemmas and the professional support we provide to enlightened organisations.



<h3>Help for individuals</h3>	<h3>Help for organisations</h3>	<h3>Help for the NHS</h3>	<h3>Latest news from PCaW</h3>
---------------------------------------	---	-----------------------------------	--

<http://www.pcaw.co.uk/>

# Trades Unions

- May be active in your workplace
- There may be some kind of local workers group
- May not be usual in your workplace
- Like professional bodies they require a subscription
  - They also are afforded some (limited) recognition in workplace law

# TUC

[Home](#)[Unions](#)[Join a Union](#)[Work Rights](#)[Events](#)[Email Alerts](#)[Publications](#)[Contact Us](#)

## About the TUC

[About this site](#)[Britain's Unions](#)[Conferences](#)[Congress](#)[In the regions](#)[In ToUCh](#)[Job Vacancies](#)[Mainly for Students](#)[Union History](#)[Economic Issues](#)[Workplace Issues](#)

## Know Your Rights



[workSMART](#) | [TUC leaflets](#) | [the book](#) | [help for union members](#) | [useful sites](#)

**workSMART**  
FROM THE TUC

workSMART is a TUC site, helping today's working people get the best from work. Visit now for our free comprehensive, plain-English guides to all aspects of your employment rights, your health at work, and pay and pensions, as well as a jargonbuster to explain technical terms and an interactive trade union finder

## Know Your Rights leaflets

The TUC publishes a series of free leaflets explaining your rights at work and dealing with other common workplace problems. You download these online here, or read them online at [workSMART](#).

- [Facing Redundancy](#) (updated March 2009)
- [Coping with the Economic Downturn](#) (December 2008)
- [Maternity leave and pay](#) (updated April 2007)
- [Paternity leave and pay](#)
- [Adoption leave and pay](#) (updated April 2007)
- [Flexible working for parents](#) (updated April 2007)
- [You're not alone: trade union representation at work](#)
- [Time's up for long hours](#)
- [Paid holiday and rest breaks at work](#) (New October 2007)
- [Young people at work](#)
- [Agency workers have rights too!](#)
- [Your rights as a homeworker](#)
- [Time off for families](#)



<http://bit.ly/tucrights>

[Social Issues](#)[Your Rights At Work - the book](#)




# Worksmart (TUC)

workSMART  
FROM THE TUC

- your rights
- your money
- your health
- your career
- your company
- news
- union finder
- jargon buster
- fun & games
- tools & utilities



**Facing up to Facebook**  
Are the UK's 3.5m Facebook users an HR accident waiting to happen? [Read our advice](#)



**One good intern deserves another?**  
As many as one thirds of interns could be exploited at work. [Read our interns' guide](#)

## welcome to workSMART

workSMART, from the [TUC](#), is here to help today's working people get the best out of the world of work.

## what's new?

- [Social media #fail in the workplace](#)
- [And the dress code is... stripes](#)
- [40 hour week 'burnout' risk](#)
- [Is your company getting workers on the cheap?](#)
- [Will you be affected by Tax Credit changes?](#)

[More news...](#)

free help

email news



**The Interns: Getting treated like a dogsbody?**



[contact us](#)

[terms of use](#)

[privacy policy](#)

[about us](#)

[sitemap](#)

# Employment Issues

## Employment issues

We provide free legal advice and representation to members who have employment-related problems. Our team of workplace representatives, full time officers and specialist employment lawyers can give professional advice and support in tribunal and civil court claims.

Areas covered include:

- [Contracts of employment](#) (pdf, 194KB) 
- [Data Protection Act](#) (pdf, 196KB) 
- [Employment status and related rights](#) (pdf, 144KB) 
- [Human rights in the workplace](#) (pdf, 213KB) 
- [Information and Consultation Regulations \(updated July 2007\)](#) (pdf, 256KB) 
- [Intellectual Property Works created in the course of employment](#) 
- [Privacy at work](#) (pdf, 192KB) 
- [Redundancy](#) (pdf, 287KB) 
- [TUPE - Transfer of Undertakings](#)
- [Annualised hours](#) (pdf, 124KB) 
- [Bonus Schemes](#) (pdf, 44KB) 
- [Bullying](#) (pdf, 47KB) 
- [Shift working patterns and premia](#) (pdf, 2
- [Sick pay and sickness absence](#) (pdf, 84KB) 
- [Standby and call out pay](#) (pdf, 148KB) 
- [Using your own vehicle for work](#) (pdf, 192KB) 



the union for life  
BRITAIN & IRELAND'S BIGGEST UNION - 1.5 MILLION STRONG

# Arbitration and Conciliation

Home

Advice and  
Guidance

Tools and  
Resources

Training and  
Business Solutions

Help Resolving  
Disputes



Promoting employment relations and HR excellence

▶ Contact us ▶ About us ▶ Using this site

Search this site

Search

You are here: [Advice and Guidance](#) > Disputes and mediation

## Disputes and mediation

### ▶ Disputes and conflict

### ▶ Grievances

### ▶ Mediation

### ▶ Conciliation

### ▶ Arbitration

### ▶ Representation

### ▶ Discipline

### ▶ Dismissal

Harmonious workplace relationships are essential to optimum business efficiency. Even minor problems can develop into grievances or disputes if they're not dealt with quickly and effectively. This is true of issues involving individuals or groups (including trade unions or other representatives).

Although having suitable policies and procedures to resolve workplace problems is essential, in many cases a positive result can be achieved through early and informal intervention.

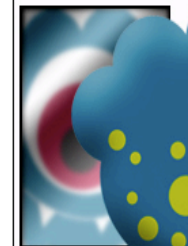
Acas has over 30 years of experience in helping organisations of all sizes to avoid and resolve problems with relationships at work.



### Did you know? ▶▶

Acas provides services for small businesses

### Facing a workplace dispute?



Don't let it

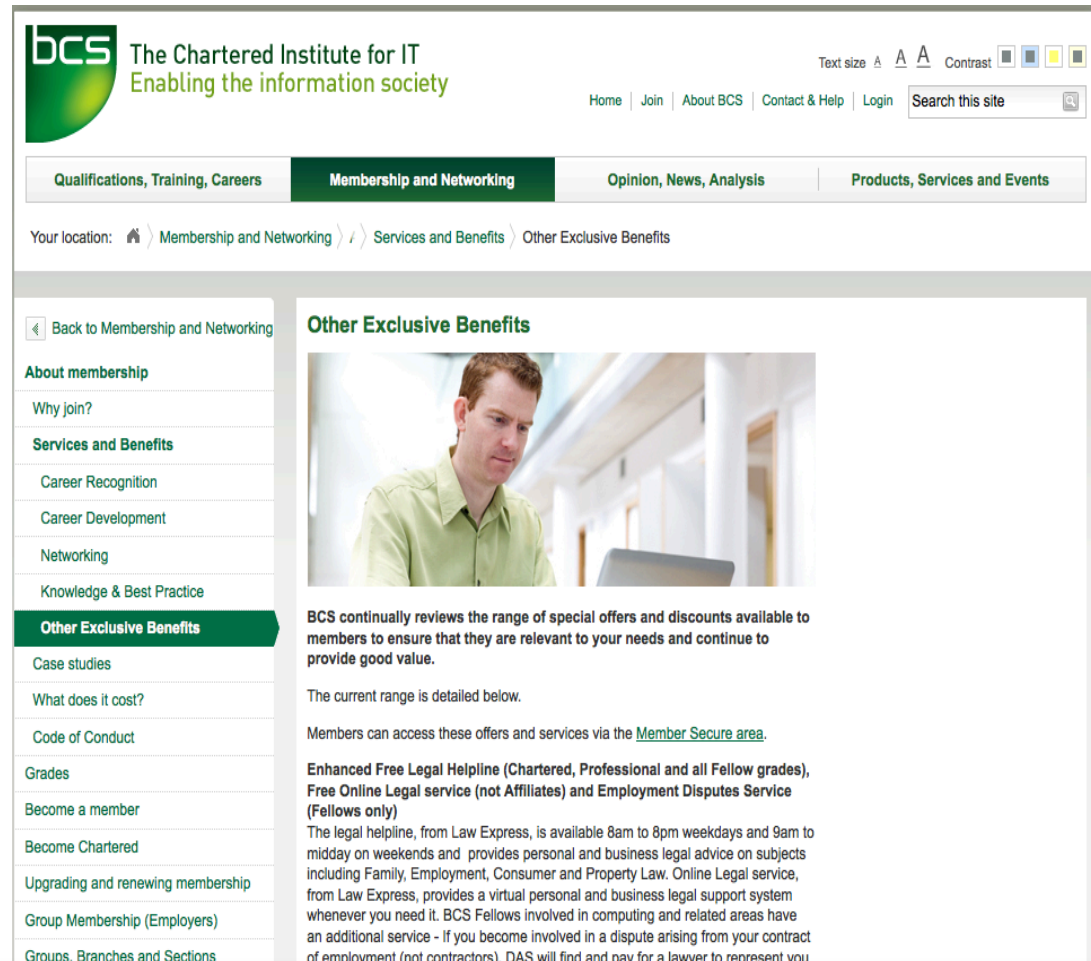
<http://www.acas.org.uk/>

# Professional Bodies

Professional Bodies – and codes of conduct  
- we covered codes of conduct and good practice

But they also usually offer the services of their legal departments

# BCS Legal



**bcS** The Chartered Institute for IT  
Enabling the information society

Text size A A Contrast [ ] [ ] [ ]

Home | Join | About BCS | Contact & Help | Login Search this site

Qualifications, Training, Careers | **Membership and Networking** | Opinion, News, Analysis | Products, Services and Events

Your location: Home > Membership and Networking > Services and Benefits > Other Exclusive Benefits

Back to Membership and Networking

**About membership**


- Why join?

**Services and Benefits**

- Career Recognition
- Career Development
- Networking
- Knowledge & Best Practice
- Other Exclusive Benefits**

- Case studies
- What does it cost?
- Code of Conduct
- Grades
- Become a member
- Become Chartered
- Upgrading and renewing membership
- Group Membership (Employers)
- Groups, Branches and Sections

### Other Exclusive Benefits



BCS continually reviews the range of special offers and discounts available to members to ensure that they are relevant to your needs and continue to provide good value.

The current range is detailed below.

Members can access these offers and services via the [Member Secure area](#).

**Enhanced Free Legal Helpline (Chartered, Professional and all Fellow grades), Free Online Legal service (not Affiliates) and Employment Disputes Service (Fellows only)**

The legal helpline, from Law Express, is available 8am to 8pm weekdays and 9am to midday on weekends and provides personal and business legal advice on subjects including Family, Employment, Consumer and Property Law. Online Legal service, from Law Express, provides a virtual personal and business legal support system whenever you need it. BCS Fellows involved in computing and related areas have an additional service - If you become involved in a dispute arising from your contract of employment (not contractors), DAS will find and pay for a lawyer to represent you.

<http://www.bcs.org/category/9234>

# BCS - legal

**“Enhanced Free Legal Helpline (Chartered, Professional and all Fellow grades), Free Online Legal service (not Affiliates) and Employment Disputes Service (Fellows only)**

The legal helpline... provides personal and business legal advice on subjects including Family, Employment, Consumer and Property Law.

Online Legal service, from Law Express, provides a virtual personal and business legal support system whenever you need it.

BCS Fellows involved in computing and related areas have an additional service - If you become involved in a dispute arising from your contract of employment (not contractors), DAS will find and pay for a lawyer to represent you at an Employment Tribunal or Civil Court.

# Professional Indemnity Insurance

- protects against financially crippling/reputation-damaging claims by dissatisfied clients.
  - **Negligence:** or breach of duty of care
  - **Intellectual property:** unintentionally infringing on others' copyrights, trademarks, broadcasting rights, any act of passing off
  - **Loss of documents/data:** damaged, lost or stolen data and documents belonging to your clients
  - **Dishonesty:** liability arising from the theft of your clients' money



# CIPD – already shown



Go to  
Sitemap  Go  
Subjects  Go

Search for   
Advanced Search Help with search

[Home](#) > [Subjects](#) > [Diversity and equality](#) > [Bullying and harassment](#)

## Harassment and bullying at work

### Diversity and equality

- General
- Age discrimination
- Bullying and harassment
- Disability
- Equal pay
- Ex-offenders
- Race discrimination
- Religious discrimination
- Sex and sexual orientation discrimination

Revised October 2010

This factsheet gives introductory guidance. It covers:

- what is harassment and bullying?
- what do harassment and bullying look like?
- the legal position
- responsibilities of employers and employees
- dealing with complaints
- the CIPD viewpoint.

### What do we mean by harassment and bullying?

In the Equality Act 2010 harassment is defined as 'unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.'

Bullying is not specifically defined in law, but in their advice leaflet for employees<sup>1</sup> Acas give the following definition: 'Bullying may be

- [Printable version](#)
- [Discuss this subject](#)
- [Enlarge text size](#)
- [Email a colleague](#)
- [Edit 'My profile'](#)

### Training courses

- [Bullying and Harassment at Work](#)
- [Counselling in the Workplace](#)

### Related publications



<http://www.cipd.co.uk>

macdonald



Another important topic area



# **HEALTH AND SAFETY AT WORK**

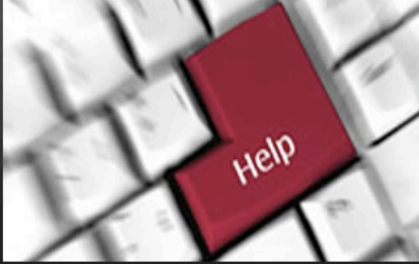
# Health and Safety Executive

 Health and Safety Executive

Enter search keywords

[Home](#) [News](#) [Guidance](#) [About you](#) [About HSE](#) [Contact HSE](#)

### Classroom risk assessment



Free tool for schools - we want your views

### Getting started

- ▶ Things you must do
- ▶ FAQs
- ▶ Starter pack
- ▶ Workers' rights
- ▶ Managing for health & safety
- ▶ Report an incident
- ▶ Do a risk assessment
- ▶ Write a safety policy
- ▶ Keep up to date
- ▶ Worker involvement

Topics

Industries

[▶ More guidance](#)

Our mission is to prevent death, injury and ill health in Britain's workplaces.



[▶ More about HSE's work](#)

### News



-  **Complaints and concerns**  
Workplace health and safety - how to make a complaint
-  **Safety notice**  
Engagement of tipping hooks on skips
-  **Transparency spend 2010 - 2011**

### Resources


Featured

-  **HSE Books - Free to download or buy**
-  **Fire safety in construction**

Popular

-  Publications
-  Videos

### Securing justice



[▶ Victims tell their story](#)

### About HSE

- Strategies and plans
- Legislation
- Statistics
- Science and research
- Enforcement
- Cases with HSE

<http://www.hse.gov.uk/>

# Health and Safety

## General Environment

- The Health and Safety at Work Act 1974

## Computer Specific Environment

- The Health and Safety (DSE) Regulations 1992

# The IT workplace/Green IT



# European directive

- Waste electrical and electronic equipment recycling



Computer Recycling



Monitor Recycling



Printers & Copiers



Network Equipment



Server Recycling

# The legislation

**Health and Safety Executive**

Home News **Guidance** About you About HSE Contact HSE Accessibility Text size: A A A

HSE > Guidance > Industries > Waste management and recycling > Processing/Sorting > Waste Electrical and Electronic Equipment recycling (WEEE)

Rate this page ☆☆☆☆ Share Free updates Bookmark Follow HSE on Twitter: Follow

Waste management and recycling
Frequently asked questions
+ Collection
- Processing/Sorting
Materials Recovery facilities (MRF)
Composting
Scrap and metal recycling
End of life vehicle industry
<b>Waste Electrical and Electronic Equipment recycling (WEEE)</b>
Mechanical biological treatment
Hand sorting of recyclables
Recovered paper
+ Disposal and energy recovery
+ Procuring and managing waste services
HSE and waste
+ Waste management and recycling industry strategy
+ WISH Forum
Safety alerts
+ Occupational health
+ Safety topics
Training
News

## Waste Electrical and Electronic Equipment recycling (WEEE)

- Introduction
- Guidance on specific substances/components
- Other hazards associated with WEEE recycling

### Introduction

Recycling of WEEE is a specialist part of the waste and recycling industry. It is a rapidly growing sub-sector due largely to the implementation of the WEEE Directive in the UK by the [WEEE Regulations 2006 \(SI 2006/195\)](#), setting of stringent recycling targets and recent events such as digital switchover.

Every year an estimated 2 million tonnes of WEEE items are discarded by householders and companies in the UK. WEEE includes most products that have a plug or need a battery. There are ten broad categories of WEEE outlined within the WEEE Regulations, namely:

- Large household appliances e.g. fridges, cookers, microwaves, washing machines and dishwashers
- Small household appliances e.g. vacuum cleaners, irons, toasters and clocks
- IT and telecommunications equipment – e.g. personal computers, copying equipment, telephones and pocket calculators
- Consumer equipment e.g. radios, televisions, hi-fi equipment, camcorders and musical instruments
- Lighting equipment e.g. straight and compact fluorescent tubes and high intensity discharge lamps
- Electrical and electronic tools – e.g. drills, saws and sewing machines, electric lawnmowers
- Toys, leisure and sports equipment e.g. electric rans, games consoles and running machines
- Medical devices e.g. (non infected) dialysis machines, analysers, medical freezers and cardiology equipment
- Monitoring and control equipment e.g. smoke detectors, thermostats and heating regulators
- Automatic dispensers e.g. hot drinks dispensers and money dispensers

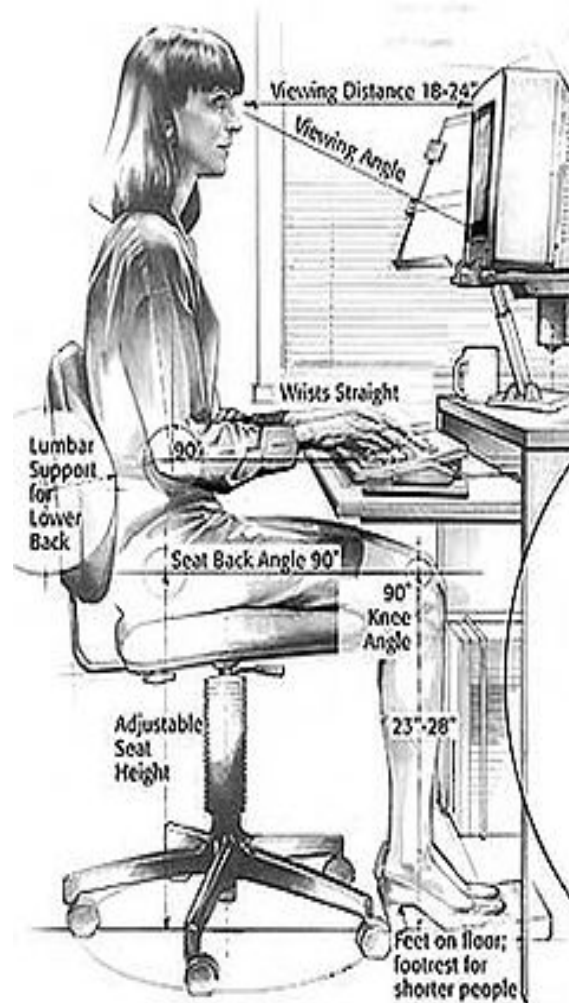
### Resources

- Waste 26: Managing health and safety in civic amenity sites
- Waste 27: Health and hazardous substances in waste and recycling
- Waste 22: Managing offensive/hygiene waste

[More resources](#)

<http://www.hse.gov.uk/waste/waste-electrical.htm>

# Customising the workplace

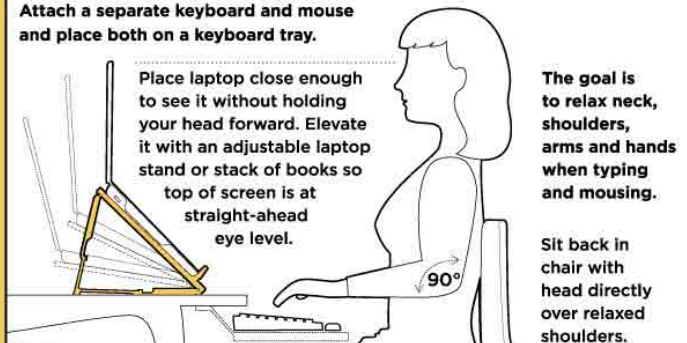
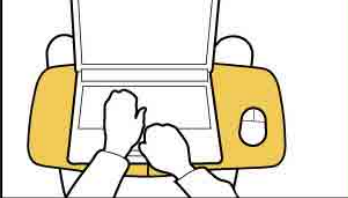



Sadly I was unable to obtain any images of male computer workers!



# Managing your environment

## Ergonomically Correct Laptop-using Posture

<p><b>Laptop Ergonomics for Desk and Travel</b></p>	<p>Make laptop computing safer and more comfortable with these tips for reducing hassles, hazards and heat buildup.</p>	<p><b>WHEN TRAVELING &amp; NOT USING DESK</b></p> <p>A lightweight lap desk across the knees improves posture, and folds to fit in a laptop backpack for easy traveling.</p>
<p><b>AT WORK OR HOME</b></p>		
<p>Attach a separate keyboard and mouse and place both on a keyboard tray.</p> <p>Place laptop close enough to see it without holding your head forward. Elevate it with an adjustable laptop stand or stack of books so top of screen is at straight-ahead eye level.</p>	 <p>The goal is to relax neck, shoulders, arms and hands when typing and mousing.</p> <p>Sit back in chair with head directly over relaxed shoulders. Be sure to support lower back.</p>	 <p>A wide lap span (20" or more) allows knees to relax, minimizing strain on shoulders, neck, back and arms.</p> <p>Reduce heat build-up and prevent lap burn with platform that lets heat escape from under computer.</p>
<p>So forearms are parallel to floor, move keyboard tray to elbow height if you look at keys when typing, or one inch below if you don't.</p>	<p>Feet flat on floor or on a footrest for leg and back support.</p> <p>A lap desk across the lap is a less expensive and portable alternative to a keyboard tray.</p>	<p><b>WHEN TRAVELING AND USING A DESK</b></p>  <p>When a separate keyboard is impractical, a portable stand inclines laptop so arms and elbows hang relaxed at sides to reduce back and shoulder strain.</p>
<p>SOURCED BY SALLY A. LONGYEAR, CIE, MPH (WWW.WORKING-WELL.ORG) AND LAPWORKS (WWW.LAPWORKS.NET)</p>		



Build up your knowledge step by step



# **REMINDERS: MODULE OVERVIEW**

## Work smarter not harder

- Intellectually
  - Understand your motivations
- Imaginatively
  - Develop and use your creativity and imagination
  - Make your tasks enjoyable
- Intuitively
  - Learn to know what works for you

## Approaches

- Pareto principle
  - 20% of the effort produces 80% of the result
  - ... but think about it logically, rationally
- One touch
  - Capture all the necessary information in a single touch

# Work smarter not harder

# The presentation topics relate to the syllabus..

You will become a specialist

- Use your presentation to understand content, context and perspectives as well as develop skills
- Many of the other presentations will have content which relates to the exam topics, pay attention 😊

## Formal/timetabled

- Lecture
  - The big picture
  - Pacing
- Blackboard
  - Links and references

## Informal/un-timetables

- Out of class
  - Search and prepare
  - Watch videos
  - Read overviews
  - Work through tasks
  - Think and discuss
  - Prepare for examination

Objective:  
knowledge, skills and understanding

# Overview: working method

# Reminder: rationale of the structure

Guidance and prompting

**Plus...** directing you to a realistic/sustainable approach

This is not the same as coding, maths or other 'hard' subject areas

But it is **very relevant** to your degree...

... and the approach is relevant to future study and work

- Find out, think about, re-present
- Work in groups
- Find your strengths
- Overcome your weaknesses
- Enjoy yourselves

# Thank you ;-)

Su White

- [saw@ecs.soton.ac.uk](mailto:saw@ecs.soton.ac.uk)
- +44 (0)23 8059 4471
- <http://www.ecs.soton.ac.uk/~saw>

# Notes on the appendices

- There are a number of appendices
  1. Copyright and IP
    - Notes and links on legislation
  2. Thinking about questions
    - Example questions and advice on how to revise for the exam
  3. Awareness issues
    - Things you might find useful when applying for work

# Tasks: Other key areas

Copyright Design and Patents Act

Review the slides, make notes

- Related slides – rights and ownership online

<http://www.edshare.soton.ac.uk/9939/>

- And now incorporated into the slides below



# Acknowledgements

- Sarosh Kahn and Laura German provided some of the basic material for this set, along with some structure.
- Those slides have been modified and various additions and alterations made

# Intellectual Property



Search our website

Go

Why use IP?

Types of IP

IP Enforcement

News

About us

Online services

IPO Home

Patents

Trade marks

Designs

Copyright

Other protection

Hargreaves implementation

Reviewed 23 November 2012

Consultation: Research & Bolar Exceptions



The Research and Bolar Exceptions

The Intellectual Property Office can help you get the right type of protection for your creation or invention.

Intellectual Property (IP) results from the expression of an idea. So IP might be a brand, an invention, a design, a song or another intellectual creation. IP can be owned, bought and sold. But how can that help you? See [Why use IP?](#)

The Intellectual Property Office is part of the [Department for Business, Innovation & Skills](#).

MusicBiz: Be your own music hero



Aged 14 to 18? Enter our [MusicBiz](#) competition to see if

## What is IP?

Intellectual Property lets people own the work they create. In this car, the four IP types work together to offer complete protection.

Learn more about the four types

What other types of IP are there?



What's new

Get It Right

IP events

Create, Innovate & Protect - IP explained, Berkshire (27 November 2012)

Latest news

Careers at other IP organisations

# Copyright, Designs and Patents Act 1988

- The Copyright, Designs and Patents Act 1988 is the current UK copyright law. This act gives the creators of literary, dramatic, musical and artistic works the right to control how their material may be used.
- The Act details what types of work can be protected and the rights that a person has.
- This Act is an extension to the previous copyright laws covered by the Copyright Act 1956, to encompass a larger scope of work.
- Since 1988 the Act has had several amendments made to it.

# What is copyright?

- Copyright, unlike patents or trademarking is an automatic legal process which comes into effect as soon as a product or piece of work is created.
- To qualify, said product or piece of work must be original and 'exhibit a degree of labour, skill or judgement.'
- It is interesting to note that copyright comes into effect **UPON PUBLICATION** of the work, so if someone steals your idea and gets it published before you, you would be in breach of copyrighted work. (Copyright does not protect intangible things such as ideas, and there is no way to prove something ownership of something intangible).

# What is copyright?

- Copyright is a law that gives the author of certain types of work exclusive rights for a period of time.
- It automatically covers your work, no need for registration
- Copyright belongs to its author, but it can be sold or licensed to anyone.
  - Once sold, the owner loses all rights
  - Licensing gives certain rights to the licensees, even though the copyright is still the property of the owner.
  - Licensees can also grant licenses to other people. Licences can be granted forever or for some fixed period.

Original  
Literary  
Works

Original  
Dramatic  
Works



Original  
Musical  
Works



Original  
Artistic  
Works



# Copyright Law

The Copyright, Designs and Patents Act 1988 section 1(1) states that copyright subsists in accordance with Part one of the Act in eight categories of works.

Broadcasts



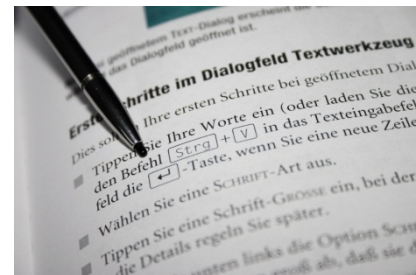
Sound  
Recordings



Films



The Typographical  
Arrangement of  
Published Editions



Computer Programs/  
Databases



To Copy  
the  
Work



To Issue  
Copies to  
the Public



To Rent or  
Lend the  
Work to  
the Public



To Perform,  
Show or Play  
the Work in  
Public



To Communicate  
the Work to the  
Public



To Make an  
Adaptation of the  
Work or do any of  
the Above in  
Relation to an  
Adaptation



# Exclusive Rights of the Copyright Holder

The Copyright, Designs and Patents Act 1988, Section 16.

**On the Web we are all used to hearing about  
widespread copyright infringement, particularly of  
music and films ... But piracy is not new!**





# Copyright Law

- Under official government legislation:
  - "Where a literary, dramatic, musical or artistic work [or a film,] is made by an employee in the course of his employment, his employer is the first owner of any copyright in the work subject to any agreement to the contrary."
- **THIS INCLUDES SOFTWARE.** This is very important for people with a future career in the IT industry, as if you create an original program under the instructions of your employer, you have **NO** claim in regard to the copyright of the work. This can, however, be re-negotiated before you start your employment.



# Software copyright

- UK copyright law was amended in 1992 to include computer programs under the category of literary work.
- Although there is no formal definition of what constitutes as a computer program, the following are covered under UK law:
  - Source code
  - Machine code
  - Firmware
  - Design materials
  - Functional specification

# Software copyright

- A license to use a program is implied in the normal contract of sale, if no express provision is otherwise made.
- Statute promises certain acts with regards to computer software as a basic right, which cannot be overwritten by any agreement, and includes:
  - Back-up of licensed software
  - Decompiling software (reversing the process of compiling)
  - Observing and testing software to determine ideas, principles and functionality
  - Editing software for the purpose of bug fixing

# Copyright Infringement

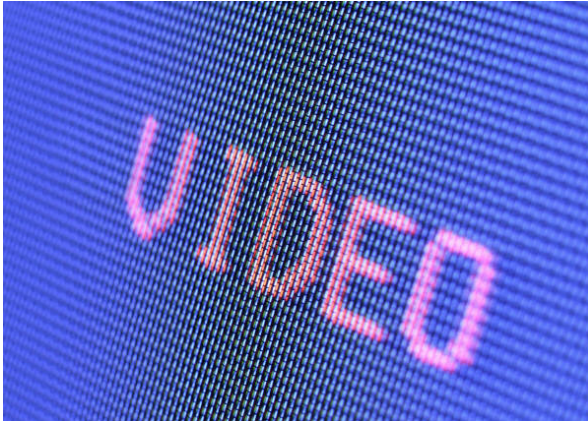
Copyright can be infringed in two ways:

- **Primary Infringement**
  - Anyone who performs an exclusive right of the owner, without permission.
- **Secondary Infringement**
  - Possessing, spreading or making copies
  - Willingly permitting people to make copies

# Copyright Infringement

CDPA 1988, s.16(2):“Copyright in a work is infringed by a person who without the licence of the copyright owner does, or authorises another to do, any of the acts restricted by the copyright.”

Online Proclamations:



**“I don’t own the rights to this – all credit goes to the author 😊!!!!”**

**- That’s nice, but it’s still infringement!**

## Permitted Acts

# The UK Copyright Service website

28 November 2012 00:24:38

UK Copyright Service



Registration centre

Information centre

About UKCS

## The registration centre

### Protect your work

*Copyright registration with the UK Copyright Service is the fast, effective and low cost way to protect your work from infringement and misuse - by ensuring you always have the best evidence of ownership to protect your work and your rights.*



Trusted by thousands of creative organisations and individuals across the world, the service supports international copyright protection by securing independent evidence that will help prove originality and ownership in future claims or disputes.

[Register your work online now](#)

The registration centre contains forms needed to register your work or manage existing registrations and accounts, plus information about the service and advice on registering your work.

[Explore the registration centre](#)

## The information centre

### Learn about copyright

*One of the principal goals of the UK Copyright Service is to educate, inform and raise awareness of intellectual property issues.*



Our information and education centre has help pages and factsheets covering a wide range of intellectual property topics, including:

- Copyright law and international conventions
- Advice on how to protect your work
- How to use copyright notices
- How to deal with copyright infringement and plagiarism
- Specific advice for writers, musicians, artists, web designers, etc.

[Explore the information centre](#)

## Do you need to register?

Unsure if your work can be registered? Our quick and easy assessment will determine if copyright applies and whether registration is suitable for your particular work.

[Take the self assessment](#)



## Why choose UKCS?

As the true market leader, we are trusted by creative individuals and organisations across the world who recognise that our unrivalled standards ensure the strongest evidence and best possible service.

[Find out more](#)



# “The Honest Musician's Fear of Accidental Plagiarism”

Available on BBC iPlayer

<http://www.bbc.co.uk/programmes/b00xw21s>



“As Noel Gallagher put it rather bluntly when confronted about his musical influences: **“There's twelve notes in a scale and 36 chords and that's the end of it. All the configurations have been done before.”**”

Singer and songwriter Guy Garvey [from Elbow], with the help of fellow songwriters Sir Tim Rice, Paul Heaton and John Bramwell, explores the legal pitfalls that can befall the honest musician and how to avoid them.”

(- BBC <http://www.bbc.co.uk/programmes/b00xw21s>.)



# Still available – thank you BBC!



The image shows a screenshot of a BBC Radio 4 player interface. On the left, there is a video player showing a close-up of a person's hands playing a sunburst electric guitar. The BBC Radio 4 logo is in the top left corner of the video player, and a speaker icon is in the bottom left. To the right of the video player, the text 'Last on' is displayed in a large font. Below this, the BBC Radio 4 logo is shown again, followed by the broadcast details: 'Sat 5 Nov 2011', '10:30', and 'BBC Radio 4'.

Many musicians have found themselves accused of stealing from another artist. It's every songwriter's biggest fear - that really great phrase or lyric you thought was all your own creation turns up in another song. There are few musicians who would admit to stealing even if caught red handed, but what happens if the theft was unintentional? And what if you heard lines from one of your songs in someone else's work? Would you immediately reach for the lawyers phone number or would... [> SHOW MORE](#)

[ADD TO FAVOURITES +](#)

[Share](#)   

**OVER A YEAR LEFT TO  
LISTEN**

Duration: 30 minutes

First broadcast: Thursday 27  
January 2011



# **SOLUTIONS?**



# Creative Commons

“Share, Remix, Reuse – Legally”

(<http://www.creativecommons.org.uk/> )

- Creative Commons licensing is not an alternative to copyright law, but is compliant with the law!



# <http://www.creativecommons.org/licenses/>



About Licenses Public Domain Support CC Projects News

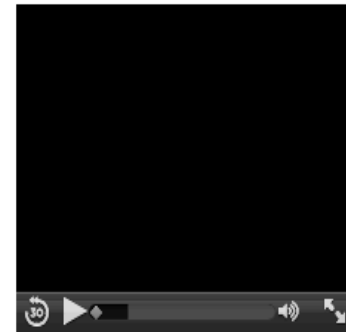
Site Search



## About The Licenses

### What our licenses do

The Creative Commons copyright licenses and tools forge a balance inside the traditional "all rights reserved" setting that copyright law creates. Our tools give everyone from individual creators to large companies and institutions a simple, standardized way to grant copyright permissions to their creative work. The combination of our tools and our users is a *vast and growing digital commons*, a pool of content that can be *copied, distributed, edited, remixed, and built upon*, all within the boundaries of copyright law.



### License design and rationale

All Creative Commons licenses have many important features in common. Every license helps creators — we call them licensors if they use our tools — retain copyright while allowing others to copy, distribute, and make some uses of their work — at least non-commercially. Every Creative Commons license also ensures licensors get the credit for their work they deserve. Every Creative Commons license works around the world and lasts as long as applicable copyright lasts (because they are built on copyright). These common features serve as the baseline, on top of which licensors can choose to grant additional permissions when deciding how they want their work to be used.

A Creative Commons licensor answers a few simple questions on the path to choosing a license — first, do I want to allow commercial use or not, and then

Our licenses do not affect freedoms that the law grants to users of creative works otherwise protected by copyright, such as exceptions and limitations to copyright law like fair dealing. Creative Commons licenses require licensees to get permission to do any of the things with a work that the law reserves exclusively to a licensor and that the license does not expressly allow. Licensees must credit the licensor, keep copyright notices intact on all copies of the work, and link to the license from copies of the work. Licensees cannot use technological measures to restrict access to the work by others.

*Try out our simple [License Chooser](#).*

# Creative Commons

## ⦿ What is it?

- A non-profit organisation devoted to “expanding the range of creative works available for others to build upon legally and share”.

## ⦿ What does it do?





- The organisation has released a number of copyright-licences known as “Creative Commons licences” for free public use.

## ⦿ Who uses these licences?

- Wikipedia is the most well known user.
- Flickr, DeviantArt, xkcd and even Nine Inch Nails are also all users of Creative Commons licences.

# The Licences

There are 4 original licenses:

-  **Attribution (by)** – “You let others copy, distribute, display, and perform your copyrighted work - and derivative works based upon it — but only if they give credit the way you request.”
-  **NonCommercial (nc)** – “You let others copy, distribute, display, and perform your work - and derivative works based upon it - but for noncommercial purposes only.”
-  **ShareAlike (sa)** – “You allow others to distribute derivative works only under a license identical to the license that governs your work.”
-  **No Derivatives (nd)** – “You let others copy, distribute, display, and perform only verbatim copies of your work, not derivative works based upon it.”

# Combination Licenses

- These licences can be combined to create different licenses:
- Since NoDerivatives and ShareAlike licenses are mutually exclusive, that means there are 11 valid licenses.
- CC found that 98% of users wanted Attribution, so they restricted it to six main licenses:

# What can they apply to?

- ⦿ A creative commons license can apply to anything that is protected by copyright law.
- ⦿ Therefore a CC license can be applied to books, websites, blogs, photographs, films, videos, songs and any other audio and visual recordings, for example.
- ⦿ The licenses *can* theoretically be applied to Software or source code, but this is not recommended by CC since the licenses were not designed to apply to them.

# What can they apply to?




- ⦿ A creative commons license can apply to anything that is protected by copyright law.
- ⦿ Therefore a CC license can be applied to books, websites, blogs, photographs, films, videos, songs and any other audio and visual recordings, for example.
- ⦿ The licenses *can* theoretically be applied to Software or source code, but this is not recommended by CC since the licenses were not designed to apply to them.

# <http://bit.ly/JISC-CCguide>

The screenshot shows the JISC website interface. At the top left is the JISC logo. To its right is a search bar with the text 'Search for Enter your search in the whole JISC site' and a 'Search' button. Below the search bar is a navigation menu with links: Home, About JISC, Supporting your institution, Projects, programmes & services, Funding, Publications, Blog, News, Events, and Contact us. The main content area has a breadcrumb trail: Home » Publications » Embedding creative commons licences into digital resources - SCA briefing paper. The title of the page is 'Embedding creative commons licences into digital resources - SCA briefing paper'. Below the title is a button that says 'Download the briefing paper'. A green box contains the text: 'Creative Commons licences (also referred to as CC licences) can facilitate the copying, reuse, distribution, and in some cases, the modification of the original owner's creative work without needing to get permission each time from the rights holder.' Below this is a section titled 'Overview of creative commons licences' with a paragraph of text. To the right of this text is the Strategic Content Alliance logo, which consists of two overlapping circles and the text 'Strategic Content Alliance building bridges to digital content'. Below the overview is another paragraph of text. At the bottom of the main content area is a section titled 'Benefits of embedding CC licences'. On the right side of the page is a sidebar with the following sections: 'Summary', 'Author' (Naomi Korn, Strategic Content Alliance IPR Consultant), 'Publication Date' (7 March 2011), 'Publication Type', 'Programme related', 'Topic', 'Learning Resources', 'Legal & Ethical', 'Strategic Themes', and 'Content'. At the bottom of the sidebar is a thumbnail image of the briefing paper cover, which features the JISC logo and the title 'Briefing Paper on Embedding Creative Commons Licences into Digital Resources'.



# Mixer

 **Gift of Song-pells, samples & remixes**  **Search** Find content Not logged in **Log In** 

DOWNLOAD, SAMPLE, CUP-UP, SHARE  
ccMixer

Home Picks Remixes Samples A Cappellas People Extras Playlists - Podcast

Welcome to ccMixer

#### Visitors

Find Music  
Forums  
About  
Looking for...?  
Twitter

#### dig ccmixter

Search our archives for music for your video, podcast or school project at [dig.ccmixer.com](http://dig.ccmixer.com)

#### Editors' Picks

The Coldness  
Words of Grat...  
Once inside t...  
The ONE  
Morpheus weav...  
[More picks...](#)

#### Podcasts

The Mixin' Kitchen ...  
MMTMMP 16 Halloween...  
MMTMMP 15 Secrets R...  
MMTMMP 15 Secrets R...  
MMTMMP 14

#### Recent Reviewers

Wired Ant  
CSoul  
My Free Micke...  
Clarence Simp...  
Speck



**"Make no mistake, ccMixer is the complete package. No other remix site commands the same level of respect amongst musicians, producers and content creators."**

*Dave's Imaginary Sound Spaces*

ccMixer is a community music site featuring remixes licensed under **Creative Commons** where you can listen to, sample, mash-up, or interact with music in whatever way you want.

**Remixers** If you're into sampling, remixing and mash-ups grab the **sample packs** and a **cappellas** for download and you can upload your version back into ccMixer, for others to enjoy and re-sample. All legal.

#### Gift of Song

**"Music produces a kind of pleasure which human nature cannot do without."-- Confucius**

Upload pells and samples celebrating the season -- winter, solstice, Christmas, Hanukkah, New Year, peace, etc. Remix the Gift of Song pells & samples throughout the season. Read more [here](#).

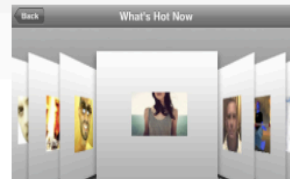
Image by [artistmam](#). Attribution-NonCommercial-2.0 License.



#### ccMixer iPhone App

Check out the new **ccMixer iPhone app!** A special thanks to **mallu** for developing.

Have an iPhone? iPad? Share your feedback with us all in the **forum post**.



#### Looking for Music?



**Looking for music** for a video, school project, game you're developing, podcast or just for listening in your cubicle or mobile music device?

Find exactly the music you're looking for - pdsafe, liberally licensed - using [dig.ccmixer.com](#) Music Discovery tool.

Find out why *one out of six* uploads to ccMixer are used in a YouTube(tm) video, flickr moving image, podcast, compilation album and thousands of other places all over the web.

**Start digging at [dig.ccmixer.com](#)**

<http://www.behold.cc>



find images tagged with

that are free to use  [and modify] [commercially]

e.g. [eagle](#), [rain](#), [beetle](#), [san francisco fog](#), [smile](#), [sunflower](#), [mercedes](#), [polar bear](#), [skyscraper](#)

**New free tool!** Safeguard your use of free images with [ImageStamper](#)

Searching 1,040,000 high quality images from Flickr

© 2005-2011 [Disclaimer & Terms of Use](#) [About](#)



# PATENTS

# What is a patent?

- A patent is a license granted to an inventor, which gives the inventor the legal right to stop anyone else from making, using or selling the invention without his or her permission.[1]

[1] [http://genome.wellcome.ac.uk/doc\\_WTD021006.html](http://genome.wellcome.ac.uk/doc_WTD021006.html)

# Patents

Give the inventor the right to stop others from

- exploiting their invention
- without prior permission
- for a fixed period of time typically
  - 20 years in the UK
  - 17 years in the USA.

# A brief history of patents

- The Patent Office, the administrator of patents and trademarks in the UK, was established in 1852 by the Patent Law Amendment Act.
- Originally it was established to handle only patents however later in 1875 it was expanded to include industrial designs.
- The Patent Act of 1977 updated these standards of the patent process.

# What can be patented?

- For an invention or idea to be patented it must
  - Be capable of industrial application (invention that “can be made or used in any kind of industry, including agriculture”)
  - Must involve an inventive step (one which “is not obvious to a person skilled in the art”)
  - Be an invention that is unique

# What cannot be patented?

- In comparison, there are a number of forms of invention that cannot be patented:
  - Mathematical or scientific theories, methods or discoveries
  - A way of doing business
  - Method of medical diagnosis or treatment
  - Computer programs or a presentation of information or an artistic work
  - Any inventions that are “against public policy or morality”
- The validity of a patent lasts for 5 years, after this time it must be renewed annually allowing a patent to stay active for a maximum of 20 years[1]

[1] [http://www.ehow.co.uk/about\\_6669094\\_united-kingdom-patent-act.html](http://www.ehow.co.uk/about_6669094_united-kingdom-patent-act.html)



# Patents

## So...Invention

- Can only be patented if
  - it is new and demonstrates an inventive step
  - has a practical application
  - Isn't in an excluded area.

## Patent office will search

- Existing patents and documentation

## If anything is found

- The application will be rejected.

# Patents do not

- Patents do not automatically cover inventions in the way copyright covers works.

Patents are issued by the state

Each patent only covers the country it was issued in

In every country that the inventor wants protection

It must be applied for

# Patent Infringement

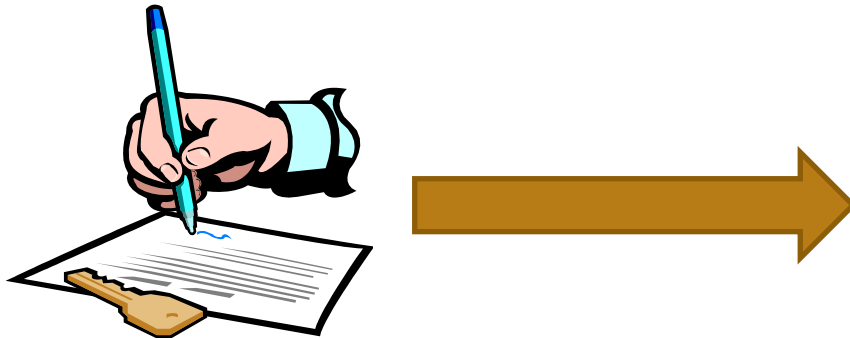
- similar penalties to copyright infringement
- Compensation needs to be paid to the owner.
- The fine will usually take into consideration
  - The amount the infringer would have paid to patent the design himself.
  - If it can be proved that the person knew of an existing patent they will have to pay treble the amount.



# PERSPECTIVES

# Licences

- “Click-wrap” licences;
- unequal bargaining power;
- Does anyone actually read them?
- Can terms be changed unilaterally?



# 'Hans Rosling's New Insights on Poverty'

[http://www.ted.com/talks/hans\\_rosling\\_reveals\\_new\\_insights\\_on\\_poverty.html](http://www.ted.com/talks/hans_rosling_reveals_new_insights_on_poverty.html)

Available online – TED Talks.

19 mins. May 2007.



# Criminality

Some examples:

- Identity theft;
- Fraud;
- Organised Crime (i.e. paedophile rings);
- Extremist Groups;
- Malware ...

Serious Organised  
Crime Agency

[http://  
www.soca.gov.uk/](http://www.soca.gov.uk/)

‘Smart phone  
malware highlighted  
by Get Safe Online  
Week ‘

<http://www.soca.gov.uk/news/364-smart-phone-malware-highlighted-by-get-safe-online-week->



# Further Info

- The UK Copyright Service website:  
<http://www.copyrightservice.co.uk/>
- The Copyright, Design and Patent Act:  
<http://www.legislation.gov.uk/ukpga/1988/48/contents>
- UK Intellectual Property Office - <http://www.ipo.gov.uk/>
- World Intellectual Property Organization –  
<http://www.wipo.int/portal/index.html.en>
- Serious Organised Crime Agency - <http://www.soca.gov.uk/>
- UK Legislation - <http://www.legislation.gov.uk/>



# Appendix thinking about questions

- Use these example questions to help plan your revision
- Build a set of notes to address important topic areas
- When you revise think about what possible mcq's might be asked on any given topic

Appendix



# THINKING ABOUT QUESTIONS

# Freedom of Information Act

The Freedom of Information Act entitles an individual to request from a public authority:

1. Any information held on the individual
2. Any information held in electronic format on the individual
3. Any information held in either paper or electronic format on the individual
4. Any information at all

# Privacy

A privacy issue is most likely raised when:

1. Someone reports comments we have made at a public meeting
2. Someone reports comments that they overhear us make to a friend in a public bar
3. Your employer reads the contents of e-mails sent by you using the company system
4. Someone reports the contents of a lecture we have given
5. Someone reports comments we make in a private letter to a third party

# Software Copyright

- The copyright of software in the UK is currently covered by the

\_\_\_\_\_.

1. Copyright Designs and Patents Act alone
2. Copyright Designs and Patents Act and subsequent legislation
3. The computer misuse act
4. Digital Millennium Copyright Act
5. The European Union Copyright Directive

# Purchase use and disposal

- Which of the following does not require institutions to implement policies relating to the purchase, use and disposal of ICT equipment?
  1. The waste electrical and electronic equipment directive
  2. The reduction of hazardous substances directive
  3. The energy using products directive
  4. The disposal of hazardous substance directive directive
  5. The landfill reduction and management directive

# Copyright

Questions might be constructed around any of the following topics

**Can copyright be inherited?** Yes. The person who inherits the work will become the new owner.

**What happens when a copyright expires?** The work will fall into the public domain, making it available to anyone wishing to use, copy or reproduce the work. This is how so many companies can publish works by William Shakespeare, **classical composers etc.**

**What types of work are protected?**

Original literary, dramatic, design, musical or artistic work. So long as the work exhibits a degree of skill, labour or judgement.

**How long does copyright last?** This will depend on the work and nationality, but typically the work will be protected for either, 70 years from the death of the author, or if published 70 years from the date of first publication.

**Does the nationality of the author matter?**

Under the terms of the Berne Convention, authors are automatically protected internationally, they may also enjoy additional rights as granted under national laws.

**Does format or quality of the work matter?**

The format of the work, i.e. Negatives or photographs, computer files or paper documents, does not matter, neither does the quality of the work.

# Thinking Task

Think about questions

- Questions can be simple
  - Testing knowledge
- More complex
  - Testing understanding
- Even more complex
  - Providing an opportunity to combine
    - Knowledge, understanding and thinking skills
    - In your groups design one example of each type of question which draws on the information provided



Appendix



# **AWARENESS ISSUES**

# Employment....

Employment terms and conditions incorporate

- Pay
- National Minimum Wage
- Employment Contracts and Conditions
- Time off and Holidays
- Flexible Working
- Working Hours
- Sickness Absence
- Business transfers and takeovers
- Starting a new job

# Sources of information...

**Directgov**

Public services all in one place

Link	
<b>› Pay</b>	<b>› The National Minimum Wage</b>
<ul style="list-style-type: none"><li>› Being paid and payslips</li><li>› Company sick pay rights</li><li>› Performance-related pay</li><li>› More about pay</li></ul>	<ul style="list-style-type: none"><li>› The National Minimum Wage rates</li><li>› Calculating the National Minimum Wage: the basics</li><li>› Help getting paid the National Minimum Wage</li><li>› More about the National Minimum Wage</li></ul>
<b>› Employment contracts and conditions</b>	<b>› Time off and holidays</b>
<ul style="list-style-type: none"><li>› Contracts of employment</li><li>› Changes to employment conditions</li><li>› Breach of contract</li><li>› More about employment contracts and conditions</li></ul>	<ul style="list-style-type: none"><li>› Annual leave and holidays</li><li>› Time to train: request time at work to learn new skills</li><li>› Time off for dependants</li><li>› More about time off and holidays</li></ul>
<b>› Flexible working</b>	<b>› Working hours</b>
<ul style="list-style-type: none"><li>› The right to request flexible working</li><li>› Working from home</li><li>› Part-time work</li><li>› More about flexible working</li></ul>	<ul style="list-style-type: none"><li>› Working time limits (the 48-hour week)</li><li>› Rest breaks</li><li>› Overtime</li><li>› More about working hours</li></ul>
<b>› Sickness absence</b>	<b>› Business transfers and takeovers (TUPE)</b>
<ul style="list-style-type: none"><li>› Time off for sickness</li><li>› Statement of Fitness for Work (fit note)</li></ul>	<ul style="list-style-type: none"><li>› Employment protection during business transfers and takeovers</li><li>› Transfers of employment contracts</li></ul>

<http://bit.ly/g6jje>

# Self Employment

**Directgov**

Public services all in one place

Cymraeg | Accessibility | Help | Site index | **A A A**

Search this site  **Go** 

[Home](#) | [Contacts](#) | [Do it online](#) | [Newsroom](#) | [Video](#)

Monday, 28 November 2011

## Browse by subject

- ▶ Crime and justice
- ▶ Education and learning
- ▼ Employment
  - ▶ Jobseekers
    - ▶ **Looking for work**
- ▶ Environment and greener living
- ▶ Government, citizens and rights
- ▶ Health and well-being
- ▶ Home and community
- ▶ Money, tax and benefits
- ▶ Motoring
- ▶ Pensions and retirement planning
- ▶ Travel and transport

## Browse by people

- ▶ Young people
- ▶ Britons living abroad
- ▶ Disabled people
- ▶ Parents

## Jobseekers

### Self-employment



If you have a good business idea, working for yourself can be very rewarding, but it can take a lot of hard work and dedication. If you want to become self-employed, find out about the free help and support available, and whether you qualify for the New Enterprise Allowance.

**jobcentreplus**  
Department for  
Work and Pensions

### Getting started with your business idea

There are lots of good reasons for wanting to work for yourself, like:

- having a great idea or passion that could be turned into profits
- wanting to work from home to fit in better with family commitments
- wanting to take more control of your life and be your own boss

If you get it right, being self-employed can be exciting, rewarding and challenging.

### Information and support for new businesses

If you want to become self-employed, there is plenty of free information, advice and practical support available for you. You can get help with topics like:


- how to plan a business
- how to raise finance
- how to make sure you have enough to live on while you get your business off the ground

Support is available for both new and existing businesses, and can help you meet all the legal and financial requirements of being self-employed.


## Starting a franchise

Starting a franchise 

If you are interested in becoming self-employed, franchising may be an option worth considering

▶ Starting a franchise 

## Do it online

- ▶ Search for a job 
- ▶ Find local childcare
- ▶ Claim Jobseeker's Allowance
- ▶ More online tools

# Income Tax

**Directgov**

Public services all in one place

Cymraeg | Accessibility | Help | Site index | [A](#) [A](#) [A](#)

Search this site

Go 

[Home](#) | [Contacts](#) | [Do it online](#) | [Newsroom](#) | [Video](#)

Monday, 28 November 2011

## Browse by subject

- ▶ Crime and justice
- ▶ Education and learning
- ▶ Employment
- ▶ Environment and greener living
- ▶ Government, citizens and rights
- ▶ Health and well-being
- ▶ Home and community
- ▼ Money, tax and benefits
  - ▼ Taxes
    - ▶ **Income Tax**
- ▶ Motoring
- ▶ Pensions and retirement planning
- ▶ Travel and transport

## Browse by people

- ▶ Young people
- ▶ Britons living abroad
- ▶ Disabled people
- ▶ Parents

## Money, tax and benefits

### Income Tax



#### Understanding your tax code and Coding Notice

Received a Coding Notice for 2011-12? Find out what it means, including how to check your tax if you have more than one job or pension

▶ Tax codes

#### ▶ Introduction to Income Tax

Overview - what Income Tax is, who pays it, how and how much, taxable and non-taxable income at a glance

#### ▶ Tax allowances and reliefs

Personal Allowance, Married Couple's Allowance, tax allowances and reliefs if you're employed or self-employed, includes details of how to claim

#### ▶ Tax relief when giving to charity

How to make Income Tax efficient donations to charity

#### ▶ Tax refunds and reclaiming overpaid tax

How to claim a repayment through PAYE, Self Assessment or by completing Tax Repayment form R40

#### ▶ Income Tax rates and thresholds

Quick link to current and previous years' Income Tax rates and thresholds on the HM Revenue & Customs website

#### ▶ Tax codes

Understanding tax codes and your PAYE Coding Notice, emergency tax, underpayments, what to do if your tax code is wrong and more

#### ▶ Getting your Income Tax right

How to check and correct the amount of tax you're paying - starting/leaving work, if you have savings, changes to income, and more

#### ▶ Working and paying tax

Tax for the employed, tax for the self-employed and tax on casual, part-time or temporary work

Bookmark with:

## Claiming a tax refund



How to claim a refund if you think you've paid too much tax on your employment, self-employment or pension income


▶ Tax refunds and reclaiming overpaid tax

## Budget Day 2011



▶ Budget Day - 23 March 2011

## Do it online

- ▶ Tell HMRC about a change of name or address 
- ▶ Apply to receive tax-free interest on your savings (form R85)
- ▶ Complete your Self