



Schools Digital Copying & Streaming Licence Consultation

Summary of consultation responses

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1. INTRODUCTION

On 21 October 2024 PPL began an eight-week consultation on its proposed new digital copying and streaming licence for schools. This document summarises the responses received and before setting out PPL’s conclusions and what will happen next.

The aim of the consultation was to invite individual schools and similar educational establishments to review and comment on the PPL’s provisional views on the new licence. PPL had previously agreed a similar licensing scheme with the Department for Education (“DfE”) to cover all schools controlled/funded by the DfE.

The consultation was undertaken in accordance with PPL’s Code of Conduct, which states that whenever PPL proposes a new tariff or makes significant changes to an existing tariff, a fair, reasonable and proportionate approach to consultation will be undertaken.

PPL took various steps to publicise the consultation. On behalf of PPL, the Centre for Education and Finance Management (“CEFM”) contacted all schools not currently covered under the DfE scheme via email or letter and provided response forms that could be completed by post. PPL also set up a dedicated area on its website where the relevant information, including the customer consultation document and response form, was available to read and download. The website also provided a dedicated email address for any comments and queries.

PPL has considered all comments received from schools and similar educational establishments and has finalised the terms of a new digital copying and streaming licence for schools (other than those already covered by the DfE scheme).

The new licence will take effect from 1 April 2025 and details of the scheme are set out in Section 3 of this document.

2. SUMMARY OF RESPONSES

PPL is grateful for the responses received from 25 schools from a broad range of educational sectors. We have summarised the feedback that we received for each consultation question below, along with PPL's subsequent response to the feedback. Some general comments that were received but that did not refer specifically to the consultation questions have been included in the most appropriate section of the summary.

Consultation question: *Please provide your comments on the activities to be included (or, as the case may be, excluded) from the scope of the new licence.*

Of those respondents that answered the question, the majority confirmed that the most common use of recorded music was in the preparation of lessons with a number referencing the use of online streaming platforms such as YouTube.

PPL's response:

PPL remains of the view that a single broad licensing scheme covering the various uses set out in Section 3 of the consultation paper satisfies the requirements for nearly all schools and therefore all these uses of recorded music will be covered under the new licence.

Consultation question: *Please provide your comments on using pupil numbers to calculate fees for the new licence. If your view is that there is a more suitable means of measuring the use of music under the licence, please explain your reasons for this approach and how it would work in practice.*

Pupil numbers were seen as the fairest way of calculating the licence fee by the majority of respondents to this question.

Some respondents indicated a preference for a banded fee system based on pupil numbers rather than charging based on individual pupil numbers. However, many smaller schools expressed a preference for the fee to be based on actual pupil numbers as they saw this as a fairer way of charging.

Only one respondent suggested an alternative method of charging; their approach was based on actual usage of PPL's sound recordings rather than pupil numbers.

PPL's response:

PPL welcomes the overall support for the concept of basing fees on pupil numbers. As for the alternative suggestion of actual usage, this approach would be very time consuming and difficult to manage for schools (and for PPL or CEFM to monitor). Furthermore, the additional cost to schools of administration could outweigh any potential savings.

PPL does not see any material benefit in basing the fee on a banded scale of pupils given that the number of pupils is already provided once a year to calculate the fees due under the PPL public performance licence. Furthermore, PPL also anticipates that the use of banding may penalise those schools with very few pupils. Therefore, PPL's conclusion is that using actual pupil numbers is the fairest way of calculating the licence fee.

Consultation question: Please provide your comments on the suggested fee for a school of 50 pence per pupil for all of the use of Sound Recordings to be covered under the new licence.

While some respondents noted that school budgets are under pressure at present and so anything that can be done to keep costs down would be welcome, a significant number of respondents (around half), felt that the proposed fee of 50 pence per pupil was fair.

Some, mainly very small, schools did point out that they do not use recorded music in any of the ways set out in the consultation document and therefore felt that they should not be charged a fee at all.

PPL's response:

PPL's belief, supported by the response to the consultation, is that a fee of 50 pence per pupil is a fair fee given the range of activities/uses covered under the scheme.

Please note that any school that does not use recorded music in any of the ways set out in Section 3 below will not be required to take out this licence and so would not have to pay any fees under that licence.

Consultation question: Please provide your comments on the implementation of the new licence.

Generally, respondents thought that the timescale for implementation was realistic. One respondent did note that administrative burden for the new scheme should be kept to a minimum and one respondent asked if it was possible for a local authority to purchase a licence on behalf of all of the schools in its area.

PPL's response:

PPL is pleased to hear that respondents generally found the timescales for implementation realistic. If any local authorities wish to purchase a licence on behalf of all of the schools in their area, CEFM, acting on behalf of PPL, will be pleased to facilitate this.

Consultation question: If you have any additional comments on PPL's consultation paper, you may include these below.

One respondent asked for clear guidance in relation to exactly what is/ is not covered under the new licence.

PPL's response:

PPL understands the need for schools to clearly understand exactly what the new licence will enable them to do, and just as importantly, what activities are not covered under the new licence. Details of the activities/uses covered under the new licence are therefore set out in Section 3 below. PPL also will, in conjunction with CEFM, produce a series of FAQs, which will be available on the CEFM website in advance of the start date of the new licence.

3. TERMS OF THE NEW LICENCE TO TAKE EFFECT FROM 1 APRIL 2025

The fees under the new licence will be based on actual pupil numbers and for the year commencing 1 April 2025 will be 50 pence per pupil.

The fees for subsequent years will increase on 1 April each year in line with the annual change in the Consumer Prices Index ("CPI") for the previous September.

The licence will cover the use of PPL's sound recordings ("Sound Recordings") within the following activities.

Use of Sound Recordings within lessons and associated curricular work by teachers and pupils:

- Copying of up to 1,000 Sound Recordings per school, to school servers, computers or intranet, provided that those recordings have been purchased legitimately.
- Subsequent copying of Sound Recordings from that database by teachers and pupils in the school for integral use in providing lessons or as part of course work (e.g. for use in projects, class presentations etc.).
- Sharing of Sound Recordings to pupils to use within lessons and associated curricular work through school-controlled learning portals and other online services.

In school events and other similar activities run by the School:

- Copying of Sound Recordings for subsequent use in other school activities and events such as assemblies, school plays, concerts, prize givings or sports activities (e.g. use in gymnastics routines).
- Live streaming and recording of these events / activities, but only to persons with a direct affiliation to the school and its pupils.

School tours/open days:

- Copying of Sound Recordings contained in any performances included as part of the tour/open day.
- Live streaming where the event can be streamed live by potential parents/relatives whilst it is taking place.
- Subsequent copying where the tour/open days are available for download by potential parents/relatives.
- On demand streaming: where potential parents/relatives can stream the tour/open day after the event takes place.

Physical products:

- The provision of physical copies of events containing Sound Recordings such as school plays, end of year concerts on CD/DVD or by digital download, subject to the following conditions:
 - Maximum of 1,000 units per school with each unit containing a maximum of 120 minutes of music.
 - The copies can be given away or sold to raise funds for school activities or charitable purposes provided that all profits made go entirely to the schools and/or charity.

Activities excluded from the licence

- The use of Sound Recordings in any promotional materials, sponsorship or advertisements.
- Any content that could imply endorsement of the product or channel and/or any third parties.
- Specific artist themed content.
- Any usage at or by stand-alone sixth form colleges, universities, and other institutions of further education and student unions, or in areas or buildings open to individuals not directly associated with the school and/or operated on a commercial basis.
- Any use of Sound Recordings at events or in facilities run by a party other than the school, or where any profit or benefit does not go entirely either to the school or to a charitable cause supported by the school at that specific event.
- Social media uses.
- Access to content via third-party platforms, except those expressly permitted in the terms of the licence.
- Any use of Sound Recordings for commercial purposes
- Any use of Sound Recordings for activities that could not reasonably be considered within the normal activities of a school.
- Providing on-demand content in exchange for payment, except as expressly permitted by the licence (e.g. for fundraising directly related to the school's activities).
- Copying Sound Recordings for the provision of background music or telephone music on hold within the school facilities or elsewhere – these uses of Sound Recordings will continue to be licensed separately using the relevant PPL tariff(s).
- The public performance of Sound Recordings (which will continue to be licensed separately via CEFM under the existing public performance licences).
- Creation, streaming and dissemination of playlists featuring Sound Recordings.
- Provision of school radio services, either hard wired or online, which will continue to be licensed on under PPL's existing licence scheme.
- Uses covered by the ERA licence for schools to use TV and radio broadcasts for teaching.
- Copying or streaming of Sound Recordings by third parties providing services to schools, for example third parties providing content for the National Curriculum, or other similar uses (these will continue to require separate licensing).

4. Next steps

The PPL Schools Digital Copying and Streaming Licence will commence on 1 April 2025.

CEFM will manage the implementation and ongoing management of the scheme on behalf of PPL. In advance of this date, they will contact schools to explain the new licence and secure the necessary details to ensure that each school requiring a licence will be accurately licensed.

Full details of the licence and the activities it covers will be available on the PPL website from 27 January 2025.