



media  
access

*Supporting journalism*

Code of practice

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[www.nla.co.uk](http://www.nla.co.uk)

# Code of practice

Welcome to the NLA media access Code of Practice which sets out what you can expect from our service to you. It explains our commitment to you, what we request in return and what to do if things go wrong.

*A licence from the NLA gives you access to and permission to share content from newspaper titles, newspaper websites and selected magazines.*

## Our key quality commitments

We promise to make the process of accessing and using published content as quick, easy and economic as possible.

We promise that those of you using published content in a media monitoring environment, can do so safe in the knowledge that the creators of news are rewarded for re-use of their work.

We are committed to serving the needs of the media monitoring market and to fairness and equal treatment of all customers.



The NLA represents the most respected news publishers in the UK. Our role is to ensure that all organisations have access to and can share, the news they need whilst ensuring they are copyright compliant.

We are authorised by publishers to license more than 1400 newspapers, their respective websites and selective magazines. By acting collectively on behalf of newspaper publishers, we can ensure great value access to UK news content.

Over 200,000 organisations rely on the NLA's annual licences, database access and pay per use services to share information. We are a non profit organisation owned by publishers committed to ensuring that all rights holders receive prompt payment.

# Our commitment to customers

In all your dealings with the NLA, you can expect us to be:

- ✓ Fair and reasonable.
- ✓ Clear and easy to understand.
- ✓ Timely and responsive: we will respond to your queries within a minimum of 2 working days and a maximum of 5.
- ✓ Provide a friendly, helpful service whenever and however you need to deal with us.
- ✓ Help you make the right choice of cover for your business, providing a clear product range with simply explained features and charges.
- ✓ We will treat you fairly in relation to other customers in similar circumstances.
- ✓ We will correct any agreed errors as quickly as possible.
- ✓ Any complaints will be dealt with according to our published procedure (see overleaf on how to make a formal complaint).

**Over 90% of licensees say we are fair, reasonable, timely and responsive.**

Every month our customers give us feedback on our service. You'll find the most up to date results on our website and a snapshot on how we are doing below.

And overall when dealing with the NLA would you say we have been



## Contacting us

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You can contact us by post, email or telephone.

*Over 50 staff in Tunbridge Wells and London to serve your licensing and media monitoring needs.*

Mount Pleasant House  
Lonsdale Gardens  
Tunbridge Wells  
Kent, TN1 1HJ

Phone: +44 (0) 1892 525 273

E-mail: [copy@nla.co.uk](mailto:copy@nla.co.uk)

[www.nla.co.uk](http://www.nla.co.uk)

Hours of business are 8.30am-5.00pm Monday to Thursday and 8.30am-4.00pm Friday

### If you contact us by:

**Telephone:** we will aim to answer your telephone call within 5 rings. Our staff will always give you their name and your licence will be managed by a dedicated Account Manager.

We will deal with your matter immediately if we can. If we cannot resolve your query immediately, you can expect us to do so within a reasonable timeframe, normally one working day unless otherwise advised.

**Post:** we will acknowledge your letter within 2 working days of receipt and we will reply within a further 2 working days. If legal advice is required for the reply please allow 14 days.

**Email:** we will acknowledge your email within 1 day of receipt and respond within 1 day.

**Quotes:** If you want to get a quote for your licensing needs you can do so on our website. We can also provide quotes for your clients without any obligation or need to disclose clients' names.

# Making a complaint

If you are not satisfied with the service you have received from us and feel we have failed in our commitments to you, please follow our formal complaints procedure. It's designed to be simple and quick.

## The procedure can be used if you believe that we have:

- X** Failed to follow our procedures, including this Code;
- X** Charged you incorrectly and failed to rectify the position within a reasonable time;
- X** Been unprofessional or discourteous towards you;
- X** Given you wrong or misleading information.

If your complaint is about the terms and conditions of our licences or tariffs, we will endeavour to address it. However, if your complaint is more properly dealt with by the Copyright Tribunal, a court or another judicial or regulatory body, we will explain this to you.

## Our complaints procedure

- We will acknowledge your complaint on receipt.
- We will investigate and send a written response within 5 working days of receiving your complaint.
- If you remain dissatisfied with our response, you should write to the Managing Director at the above address.
- The Managing Director will confirm or vary the earlier response, or advise you of any further actions being taken regarding your complaint and the timescales.
- If we have completed our investigation and provided a written response, we may advise that there is nothing more we can do under our internal complaints procedure, at which point, you have the right to refer the complaint to The Ombudsman.

## The ombudsman

- ✓ The Ombudsman is an independent service set up to review complaints made to the NLA.
- ✓ The service is free to use.
- ✓ NLA will abide by the decision of the Ombudsman and put in place any remedy the Ombudsman requires.
- ✓ The Ombudsman may require NLA to provide an apology or explanation, put right any errors and/or pay compensation.

*Please write to:*  
Sales & Marketing  
Director  
Wellington Gate,  
Tunbridge Wells,  
TN1 1NL

**Ombudsman**  
Services 

*To contact the  
Ombudsman  
Call 0330 440 1601*

[www.ombudsman-services.org](http://www.ombudsman-services.org)

# Contacting you - what to expect

**Over 200,000 UK organisations are licensed to use publisher content through 9,500 corporate licences.**

Our aim is to ensure that all businesses and organisations wishing to use news related content have the right licence to do so. We will contact organisations that do not have a licence to see if they need one and to advise accordingly. Because we do not always know if an organisation needs a licence, we may contact users by telephone and mail and may request that your media monitoring agency contact you on our behalf, if we have not been able to get in contact directly.

By answering a number of simple questions on our website an organisation can determine whether a licence is required. Please note that you are entitled to a 28 day trial of a media monitoring service without a licence obligation, however if you subscribe to the service following the trial, a licence is required.

If you advise the NLA that you are not using our publishers' content, we may ask you to sign a 'declaration' to that effect and will not contact you again for at least 18 months. However, we may contact you sooner, if we have cause to believe that you have been using our publishers' content and do not have a valid licence to do so. If this is the case we will explain clearly our reasons for doing so.

## Information about our licences

We will give you the information you need to enable you to make an informed choice about whether or not to take out our licence; and/or, if you want to use works from our represented publishers, what the terms of such licence are. This includes the provision of a quote and fee breakdown which shows the level of cover you have requested. Only when the licence quote and terms have been accepted by you will a licence and associated invoice be raised.

We will place our licensing schemes, tariffs and other standard contractual terms on our website and provide hard copies for all new licence applicants on request.

For further information you can contact one of our dedicated new and existing licensee enquiry teams.

## If you have an existing licence:

Once you have a licence, we will contact you annually to review your newspaper usage with you and to advise on your licence fees for the next period.

Your licence agreement will always include all the terms and conditions of the licence we grant you, or if it refers to other documents, we will provide these documents on request at any time.

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**Over 1000  
newspaper websites  
were added to the  
NLA portfolio in  
2010.**

To complete your annual review we will contact you by telephone and email and we are happy to visit your offices to explain and advise on the best licence options.

At your annual review, please tell us if your licence use was more or less than you planned during your previous licence year and we will adjust your charges if appropriate. The same applies for the forthcoming year.

If you do not provide us with details of your estimate of use for the forthcoming year, we may estimate your use based on information available to us and license and invoice you accordingly.

We have a range of licences for internal and external use. Please advise us of the use required and we will quote and advise accordingly.

### **If you change your mind about a licence:**

You have the right to cancel your licence request at any time before the licence is granted. Please note that even if you have completed an application form and then cancel, you will not be charged.

### **Payment terms:**

The NLA accepts payment on invoice payable within 30 days. We can also accept payment by credit or debit card over the telephone.

If we agree that you are due a refund, or that we will issue you with a credit note, you should expect payment or your credit note within a maximum of 30 days or earlier on request.

### **During the term of your licence**

Additional cover can be added part way through the year and is charged on a pro-rata basis.

From time to time we may also contact you if we have been advised that your circumstances have changed – e.g commenced a media monitoring service.

Under the terms of end user licences (5.10), we have the right to ask an independent accountant to inspect your compliance records on your premises. The accountant shall be entitled to inspect the records, computers and business arrangements of the licensee and to verify if they are in compliance with the terms of the licence.



# The licences

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NLA licences permit copying from UK national and regional newspapers, plus certain specialist foreign and magazine titles.

*Photocopying, faxing, scanning, emailing, receipt of content from a media monitoring organisation or PR company.*

Subject to certain Terms & Conditions, this includes paper copying (photocopying, faxing and printing), digital copying (scanning, emailing and hosting on an intranet site) and the receipt and distribution of content received from a PR or licensed media monitoring agency.

Copying can be undertaken on an occasional or frequent basis in both paper and digital formats, where elected.

In 2011, we introduced a new licence which gives companies the right to post newspaper articles on their corporate websites.

## How can customers find out which works NLA licenses?

The licensing portfolio includes 1,350 newspapers, 63 magazines and over 1000 websites. Full details of publications in the NLA repertoire can be found on our website.

# NLA representation

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**Over £194m  
distributed to rights  
holders since  
inception.**

In the digital age, publishers rely upon income from copyright to ensure their business are healthy, journalists are properly remunerated for their work and that we have a vibrant, free press that is of benefit to everyone.

The NLA currently represents over 1400 newspaper and specialist titles and the full repertoire can be found on the NLA website. The Copyright, Designs and Patents Act 1988, gives creators of certain types of work, including newspapers the exclusive right to do and to authorise the doing of certain acts, in relation to their work. Rights holders entrust these rights to collecting societies such as the NLA to manage on their behalf and for its part the NLA exists to help its members focus on their creative work by managing their copyright for them. We do this by asking members to give us the legal authority to grant copying licences on their behalf and to collect licence fees due for the uses of their work. Members also tell us if there are any particular restrictions on uses and we will tell our customers if this is the case.

The NLA currently licenses over 200,000 organisations ranging from large government bodies, plcs, and limited companies to partnerships and public relations agencies. The NLA has 4 main functions:

- ✓ Licenses companies, public bodies and partnerships to copy from national, regional and specialist newspaper titles in both paper and digital formats.
- ✓ Collects fees from licensed users for this copying
- ✓ Distributes fees collected to publishers. Since inception the NLA has distributed more than £190m in royalties to represented rightsholders.
- ✓ In addition to acting as a collecting society the NLA also has a database/IT business responsible for the management and creation of newspaper databases and IT platforms designed to assist media monitoring agencies deliver relevant content to their clients, efficiently and cost effectively.

**Licences start from as little as £167.00 per annum.**

## Valuing of rights and pricing

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The NLA tariffs reflect the value of the IP rights being licensed and economic modelling (carried out by independent economic consultants), is used to derive the appropriate levels for each activity. The most common methods for valuing IP rights are on an Economic Benefits or Comparable Royalties basis. All tariffs are agreed with publishers and reviewed annually. In addition, and where relevant the NLA consults industry bodies such as UKMMA, CIPR, PRCA.

In exceptional cases, where we are unable to agree terms, our licence or tariff may be set by the Copyright Tribunal. Unless a term has been ordered by the Copyright Tribunal, in which case it may only be varied by that body, we reserve the right to review and make changes to our licensing terms and conditions, including licensing fees, from time to time. If we propose to make material changes, we notify affected customers and/or their appropriate trade association about any consultation process we intend to conduct.

## Your obligations as a copyright user

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It is your responsibility to ensure you have an up to date licence (or direct publisher permission) if you are using clippings in a commercial, government, educational or not- for-profit environment.

When you take out a licence with us, your rights and obligations will be set out in the standard terms and conditions. The NLA covers both internal copying of news content and external republication on corporate websites.

When you accept the NLA licence terms you are agreeing to pay the NLA fees and any backdated or indemnity fees where applicable.

You are obliged to provide accurate and current data to the NLA to assist in the assessment of your licence needs and fees and to advise which corporate, or other entities, you wish to cover under your licence.

## Other activities of the NLA

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The NLA serves the needs of media monitoring service providers through its suite of database services including eClips, and eClips Web. If you are receiving electronic alerts and digital clips – they more than likely come from the 14 UK press cutting agencies using the service in the UK.

# Corporate responsibility

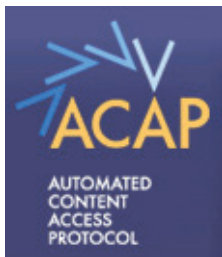
## The NLA supports a number of key initiatives in the wider newspaper industry, including:



Promoting newspapers in schools, the NLA's News Library service is a free online service giving schools online access to newspaper content.



The Fund is designed to help students from diverse backgrounds to train as journalists. Now in its fifth year, the JDF has provided bursaries for over 100 aspiring journalists with NLA donations totalling £780,000 to date.



The NLA is supplying the RNIB with a daily feed of text from over 80 newspaper titles. RNIB optimise this content for visually impaired access. the NLA's centralised delivery ensures that content is made available earlier, more reliably and in a consistent format.

Anticipating the recommendations of the Hargreaves Review, the NLA has supported and funded ACAP in developing rights management. Automated Content Access Protocol provides content owners with a tool to enable them to manage their copyright terms and conditions online.

## About the NLA code

This Code of Practice relates to the licensing activities of the NLA media access. The purpose of the code to measure, maintain and raise standards of conduct in our dealings with users.

We have put in place steps to monitor our adherence to your satisfaction with the NLA and this Code and will publish information about our performance against the Code at regular intervals. Our satisfaction ratings are published on our website.

# Key facts

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## In May 2013:

*This code of conduct relates to the licensing activities of the NLA covering the use of newspaper content in the media monitoring environment.*

- NLA media access collectively manages the rights of 49 publishers.
  - The licensing portfolio includes 1,350 newspapers, 63 magazines and over 1,000 websites
  - The eClips database serves content to 15 UK and 18 international media monitoring agencies
  - Over 200,000 UK businesses are licensed to use publisher content through 9,500 corporate licences.
- NLA media access is committed to development of international licensing and content
- exchange through licensing and content-supply agreements with 54 licensing and monitoring agencies in 21 countries
- Licences start from as little as £167.00 per annum, enabling business, government, charities and educational bodies to tailor their licence to their exact needs.
- NLA media access supports the training of the next generation of journalists through long-term support of the Journalism Diversity Fund.
  - Newspaper publishing is worth circa £5bn to the UK economy.
  - Over £194m has been earned for publishers since 1996.
  - Annual royalties paid to publishers in 2012 equated to the salaries of 950 journalists

# NLA media access contacts

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Mount Pleasant House  
Lonsdale Gardens  
Tunbridge Wells  
Kent, TN1 1HJ

Phone: +44 (0) 1892 525 273  
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