

Crown copyright and social media		THE	
		NATIONAL	
		ARCHIVES	

## 1. Introduction

This guidance explains how copyright applies to social media content and how it should be managed by government departments and agencies.

It also provides advice on uploading Crown copyright material to Flickr to ensure that it is reusable in line with UK Government licensing requirements.

## 2. What is Crown copyright material and how is it licensed for re-use?

[Crown copyright](#) is defined under section 163 of the [Copyright, Designs and Patents Act 1988](#) as works made by officers or servants of the Crown in the course of their duties. It therefore applies to content created by [civil servants](#) for UK government social media channels.

Crown copyright is managed by the Keeper of Public Records at The National Archives, and government policy is that it should be licensed for re-use free of charge under the [Open Government Licence \(OGL\)](#). Some government departments have obtained a [Delegation of Authority](#) from the Keeper of Public Records which permits them to licence Crown copyright materials outside OGL terms. If a department holds a Delegation that includes photographs or videos, it has the option to apply a different licence when publishing that material via a social media channel.

## 3. Best practice

### (i) Crown copyright

Most, but not all, content published on government social media channels will be Crown copyright. It will only be re-usable under the terms of the OGL, unless the department holds a Delegation of Authority.

It is helpful to include a copyright and licensing statement where the format allows (for instance in the description of the account's profile, or in the ALT text description of a Crown © posted image). The copyright status should be clearly stated and can be attached to or

embedded within the content. This informs others of who owns the content and how it may be re-used e.g.

© *Crown copyright, (year). Licensed under the Open Government Licence v3.0*

## **(ii) Third party copyright material**

Third party (i.e. non-Crown) copyright material should only be reproduced on government social media channels if departments have sought a licence from the copyright owner. As it is The National Archives' role to preserve the public record by capturing and preserving government social media channels in the [UK Government Web Archive \(UKGWA\)](#), licences must cover worldwide, perpetual rights and include future transfer to the UKGWA.

The Government Digital Service has published guidance on [Content design: planning, writing and managing content information](#) which contains a section on Image copyright standards. This was written for GOV.UK content publishers, but the guidance applies to the publication of third party content on government social media channels, and includes preservation in the [UK Government Web Archive](#).

Third party content is not re-usable under the [Open Government Licence](#). People seeking to re-use it have the responsibility to obtain permission from the rightsholder, so an attribution statement will enable re-users to identify who owns copyright e.g.

© *Name of third party rights holder.*

If the material is re-usable under an open licence such as Creative Commons, this can be stated in the attribution:

© *Name of third party rights holder. Used under Creative Commons licence ([state which one](#))*

## **4. Using channels that do not offer OGL licensing**

It is HM Government policy to licence Crown copyright material under the [Open Government Licence](#), but some social media channels do not offer this option. For example, government departments can only upload content to Flickr by selecting a Creative Commons licence.

As a solution, government departments must take steps to inform re-users that the Crown copyright content is widely re-usable under the terms of the Open Government Licence (or another licence if a Delegation of Authority is held). The following guidance mainly applies to Flickr, but a similar approach can be adopted for other social media channels.

## (i) Applying a licence in Flickr

We suggest selecting Attribution (CC-BY) as a licensing option for Crown copyright images on Flickr. While it is not HMG policy to use Creative Commons licensing, CC-BY offers the closest licensing terms to the Open Government Licence.

When seeking permission to publish third party material, you must ask the copyright owner to confirm which licence applies to their content.

## (ii) Clarify licensing information in the About section

Some sites (e.g. Flickr and YouTube) have an **About** section where departments can provide further details of the copyright and licensing arrangements for their content:

*All content is Crown copyright and re-usable under the Open Government Licence v3.0, except where otherwise stated. To view this licence, visit:*

<https://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/>

*Material marked as the copyright of a third party may only be re-used with permission from the rights holder.*

## (iii) Attribute each upload

Where the format permits, you can provide a copyright and licensing attribution in the description for the new content e.g.

© Crown copyright. Licensed under the Open Government Licence v3.0

If third party copyright material is being published:

© [State name of third party rights holder]

This approach is suited to uploading images to the Flickr photostream or posting videos to YouTube, but it may be applied to other platforms.

## 5. Further information

Guidance about [Crown copyright](#), including [Crown copyright – An overview for government departments](#) can be accessed from The National Archives website.

Further questions about Crown copyright can be emailed to [psi@nationalarchives.gov.uk](mailto:psi@nationalarchives.gov.uk)

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