

PRS for Music
Education consultation:
Digital Music Licence for Schools

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1. Introduction

PRS for Music are holding a public consultation on a new licensing scheme designed specifically for schools wanting to use music online. The proposed new scheme will replace the existing Limited Online Music Licence (LOML), which is being decommissioned at the end of 2023.

The new 'Digital Music Licence for Schools,' has been designed specifically to meet the needs of schools in the UK and better reflect how music is used online today. This public consultation provides an opportunity for customers, members, and other stakeholders to give their views on the proposed licence following which we will analyze and take all views into consideration before proceeding with the new licence.

This new licence is:

- A comprehensive licensing option, covering all types of general online music usage under one licence.
- A simplified way to calculate rates, which will therefore reduce administrative burdens on schools.
- Inclusive of the new additional right of synchronisation, which has been added to allow schools to incorporate music within videos much more easily. This is currently only available to online licences in the education sector.

The new licence is available to primary and secondary schools, free schools, special schools and pupil referral units as well as local authority maintained, academies and independent schools. The licence also covers early years settings and sixth forms attached to a school, ensuring schools can purchase a single licence to cover all enrolled students.

Standalone pre-schools and playgroups are not covered under this licence. Nor are further and higher education institutions such as colleges and universities, which are covered under a new Digital Music Licence for Further and Higher Education. The consultation for this new licence can be found [here](#).

The consultation is being run in accordance with our [Code of Conduct](#). This outlines our commitment to issue fair, reasonable and proportionate consultations when proposing to introduce a new tariff or to make significant changes to an existing tariff. Our aim is to set reasonable terms and to apply and administer all licensing tariffs fairly and consistently. The Copyright Tribunal has jurisdiction over all existing and proposed licensing schemes and tariffs operated by us.

The consultation will run for 4 weeks from Wednesday 4th October 2023. We will review all responses received on or before the closing date. Details on how to respond to the consultation can be found on [Page 7](#), at the bottom of this document.

Your feedback and opinions are important to us.

Educational Exceptions

We license different types of music rights; including the 'public performance' and 'communication' of music, which includes when music is used and shared online. In some cases, there are legal 'educational exemptions' where some music usage does not need to be covered by a licence. The Digital Music Licence for Further and Higher Education has been designed to cover activities above and beyond copyright exceptions.

2. Rationale for the Proposed New 'Digital Music Licence for Schools'

Currently, schools can purchase the Limited Online Music Licence (LOML) to cover online music use. LOML is available to a wide range of customers and is charged depending on how music is used online, for example whether it is streamed, downloaded or used in a podcast. More information on the current charges and licence requirement for LOML are available on our [website](#).

LOML has been in place for over 15 years, during which time there have been many changes in how schools interact with students online and how music is used, stored, and shared digitally.

Earlier this year, we surveyed our online customers to better understand how their needs have changed and what more we can do to improve the purchasing experience. Feedback showed a strong demand for a more targeted licensing scheme, one that better reflected how they want to use music, both now and in the future.

As a result of this feedback, we took the decision to decommission the current LOML at the end of 2023 and replace it with licences which are tailored to specific groups of users, the proposed Digital Music Licence for Schools being one of them.

By creating a dedicated scheme for the education sector, we can make the purchasing process for customers easier to understand, whilst allowing us to allocate royalties much more efficiently for PRS members.

3. The Proposed Digital Music Licence for Schools

Our new Digital Music Licence for Schools is a comprehensive annual licence covering all general online music use under one licence. Unlike LOML, which was charged cumulatively. Additionally, the new licence includes all the rights granted under LOML as well as the new additional right of synchronisation, so that music can be used in video content.

The proposed changes will streamline the licence purchasing experience by offering a simple bespoke option, tailored to the specific needs of schools, aiming to reduce administrative burden by making it easier to calculate rates.

This new licence will give schools the rights for the more than 38 million works PRS for Music represents, for the purposes of music on demand, webcasting, interactive webcasting, podcasting, previewing on demand clips, providing audio-visual content.

Some examples of activities covered under this licence include streaming school concerts, shows, plays for parents/students, sharing music in videos and audio files through intranets, learning portals, Zoom or Google Classroom and storing music on closed databases. The licence also covers online activities associated with social and extra-curricular student clubs.

The rights granted under the new licence include:

- The communication to the public of PRS repertoire.
- The communication to the public of Production Music Sound Recordings.
- Mechanical and synchronisation rights for MCPS affiliated repertoire.

Metrics and Rates

The cost of the proposed licence will be based on a per-pupil fee (83p). This new metric will be more straightforward to calculate, compared to the current LOML metrics which, for example, are based on the number of streams or downloads. This will also ensure fairness and proportionality based on school size and should be calculated according to the number of pupils enrolled in the school for the academic year.

Per Pupil fee
£0.83

Rates will increase annually by CPI.

For example, a state-funded nursery with a headcount of 99 pupils would purchase this licence for £82.17, whereas an independent school with 243 pupils would purchase this licence for £201.69.

By comparison, the current LOML charges start at £173 and go up to £1,719 and are cumulative based on usage type, whilst the new proposed Digital Music Licence for Schools includes comprehensive cover along with the new additional synchronisation right.

Restrictions and Exclusions

- This licence does not cover B2B, for example, a business supplying music to an education provider.
- Podcasts and radio stations available outside of the school network are not covered by the proposed Digital Music Licence for Schools and require the new [Podcast Licence](#) or an applicable radio licence.
- Sharing music outside of the UK is not covered by this licence.
- Using music in activities for commercial gain is not permitted under this licence unless all funds go back to the school.
- Using music in public promotional materials is not permitted under this licence.
- Third parties are not covered under this licence.

Licences not impacted by this consultation

Public performance licences: our public performance licences do not include online rights. If a school wishes to play or perform music live, they can purchase [Tariff EE: Educational Establishments](#).

Rights not controlled by PRS for Music: there are rights that are not controlled by PRS for Music, which are covered under other licences available from other collection organisations. For example, grand rights to cover dramatic works (plays) and recorded works covered by the Educational Recording Agency (ERA). The music collection organisation, PPL also has separate licences covering recording rights. Physical audio and audio-visual manufacture are covered under separate MCPS agreements.

4. The Role of Educational Authorities

Does my school need to obtain the Digital Music Licence for Schools directly from PRS for Music?

Northern Ireland

The Northern Ireland Education Authority (EANI) has an agreement in place to centrally license schools for online rights. Therefore, grant aided schools in Northern Ireland do not currently need to obtain a licence from us directly.

England

PRS for Music works with the Centre for Education and Finance Management (CEFM) to administer our public performance schemes for schools under Tariff EE: Educational Establishments. This licence is not covered in this consultation.

The agreement with CEFM does not cover digital licensing, therefore schools will need to take out the new Digital Music Licence for Schools directly from our website.

We are currently working with the Department for Education (DfE) to find a solution to license schools centrally for online rights to reduce administrative burden and ensure rightsholders are fairly remunerated for the use of their works. Any changes which impact on the requirement for schools in England to obtain online rights from us directly will be published on our website.

Scotland and Wales

Schools in Scotland and Wales currently need to obtain a licence directly from us to cover online activities. Any changes impacting on the requirement for schools in Scotland and Wales to obtain online rights from us directly will be published on our website.

Independent schools

Independent schools are required to obtain online rights from us directly.

5. How to Respond to the Consultation

All the details of this review, and any updates, are available on our [website](#).

Online responses are preferred, and respondents should complete the response form on the website above.

Written responses can be posted to:

Digital Music Licence for Schools Consultation Responses

PRS for Music

1st Floor

Goldings House

2 Hays Lane

London

SE1 2HB

Or by email to: education.consultation@prsformusic.com

Please entitle your response 'Education Consultation'

Or visit: www.prsformusic.com/education

All responses should be received by 1 November 2023.

We will consider all comments received and have also provided questions for you to consider when formulating your response, which can be found on our website. If you want us to keep your response confidential, or if you wish to provide confidential data supporting it, please tell us by stating this on the response form.

This consultation does not compel us to implement any of the changes proposed. We may propose an alternative scheme in the light of responses to this consultation.

Next Steps

Following the deadline for submission, we will carry out a review of all the responses received and publish a summary of these on our website. We will look to hold discussions with customers and representative bodies, as needed, and will announce the new licensing schemes based on this.

6. PRS and MCPS

PRS for Music is a world leading music collective management organisation representing the rights of more than 165,000 talented songwriters, composers, and music publishers around the globe. Headquartered in the UK, we work diligently on behalf of members to grow and protect the value of their rights. With a focus on innovation and integrity, we are redefining the global standard for music royalties to ensure creators are paid whenever their musical compositions and songs are streamed, downloaded, broadcast, performed and played in public.

The Mechanical Copyright Protection Society (MCPS) collects and distributes mechanical royalties to songwriters, composers, and music publishers when their works have been copied or reproduced. We operate as an agent for MCPS under a service agreement to provide licence and tariff development alongside licensing and distribution services.

For businesses and organisations, we play a valuable role. Songwriters, composers and music publishers have entrusted us to make their music and songs available for use in exchange for fair remuneration. We provide the required licences for this in a simple and cost-effective way. This gives businesses and individuals the right to use millions of copyright songs from around the world, without the need to negotiate individual licensing terms for these works with the songwriters or music publishers. We survey thousands of businesses to find out what music they are playing. Similar music use information is also supplied by TV and Radio broadcasters, as well as concert venues. Based on this information, we distribute royalties to the songwriters, composers and publishers of the music that has been played.



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