
SECTION 13 MODELS OF PROVISION

Objective 13: To design and evaluate potential models of service provision for providing accessible curriculum materials especially local v. national forms of delivery, or some combination thereof.

Outcome: Analysis of potential models for service delivery and in particular, options for local versus national forms of delivery. Models are evaluated against criteria developed as a result of Sections 1 to 12.

Summary

- 1) Two models (Models A and B) of service provision are considered in terms of meeting criteria of: inclusion and equity; the range of alternative formats that the model would produce; addressing the issues of copyright for pupils who are currently not exempt; supporting local authorities to fulfil legal duties; feasibility and scalability.
- 2) The recommended model of provision (Model A) addresses the needs of all pupils with print disabilities in Scotland. It will reduce duplication of effort, improve access to the curriculum, increase pupils' independence and we believe that implementation of the model is feasible and affordable.
- 3) The recommended model is also designed to extend and fit into anticipated developments in other parts of the UK as and when these occur, with the ultimate aim of establishing UK-wide provision for all people (i.e. adults as well as children) with any identifiable print disability (i.e. not just the visually impaired). This UK-wide provision is referred to as Model B.

Criteria for comparison and evaluation of models

The following criteria for comparing potential models of service provision were devised, based on the findings reported in Sections 1 to 12.

Inclusion and equity

The service model should address the literacy support needs of as many print-disabled pupils as possible in an equitable manner.

Range of Alternative Formats

In order to achieve inclusion, the service model should enable provision of a range of learning materials (reading books, textbooks, worksheets, assessment materials, test and examination papers) in a range of alternative formats to meet the access needs of all pupils with print disabilities.

Support to local authorities to fulfil legal duties

Local authorities are responsible for education of pupils within the authority, and to fulfill duties under Disability Equality and Additional Support for Learning legislation. The model should support local authorities in carrying out these duties.

Copyright

Copyright law currently permits books and other paper-based learning materials to be adapted for use by some groups of print-disabled children, but not others. The model should include measures to deal with copyright issues to ensure that all print-disabled children have equal access to accessible materials in an appropriate format.

Feasibility and efficiency

Implementation of a service model should be feasible, practical and cost effective and should be achievable within a reasonable time scale.

Scalability

Implementation of a model of provision should allow for future development and expansion. While the main target groups are those pupils with an identifiable disability (i.e. learning difficulty, physical disability, visual impairment, hearing impairment) consideration should also be given to the potential use of materials in alternative formats by the wider school population.

Models of service provision

There are many potential models of service provision for providing accessible curriculum materials and after research and analysis, we have identified two to describe and consider in this report. The two models are:

- Model A:** A model for Scottish national provision serving the needs of all print-disabled pupils in Scotland. Given the timescales and challenges of implementing UK-wide provision of accessible learning materials (Model B), and the urgent need for action to support pupils in Scotland, we recommend that the Scottish Executive, in partnership with local authorities, relevant agencies such as the National Library of Scotland, Learning and Teaching Scotland and the CALL Centre, and voluntary organisations such as RNIB Scotland, Dyslexia Scotland and Capability Scotland, explores implementation of this Model.
- Model B:** A model of UK national provision serving the needs of all print-disabled citizens (adults and children). This is an aspirational model which will require a number of legislative and policy developments at a UK level. It is described here to outline the overall situation across the UK, and because it is important to consider how initiatives to provide accessible resources within Scottish education fit within the wider UK perspective. Note that even if Model B were to be implemented, Model A would still be required in order to support local authorities in fulfilling duties under legislation.

The scope of this Books for All report concerns the literacy support needs of pupils in Scotland, and we believe that Model A is achievable in the short term to meet the support needs of pupils with print disabilities in Scotland.

Scottish Accessible Learning Resources Network (Model A)

The Model described in this section will be designed according to the criteria we set out above.

Inclusion

The model of service provision of accessible learning materials addresses the needs of all print-disabled pupils in Scotland. Provision should not be restricted to any one single disability group (e.g. pupils who are visually impaired), or to only those groups who are currently covered by copyright exemption (e.g. those with visual or physical impairment). Model A concentrates on supporting pupils who have a disability and are therefore covered by Disability Equality legislation, but has potential to be extended to other children with additional support needs, such as those with English as an Additional Language or children who are temporarily hospitalised. Figure 13.1 illustrates the main groups of disabled pupils who are supported by this model of provision.

We estimate that a minimum of 4% of the Scottish school population would benefit from materials in accessible alternative formats – those pupils who have been identified with additional support needs as a result of specific learning difficulties, physical, visual or hearing impairment, and/or speech and language and learning difficulties. The number of pupils who will benefit is likely to be larger given that 7% of candidates who sat SQA examinations required support to read question papers and/or write and record answers, and on feedback and responses from schools which suggest that 12 to 14% may potentially benefit (see Books for All section 3).

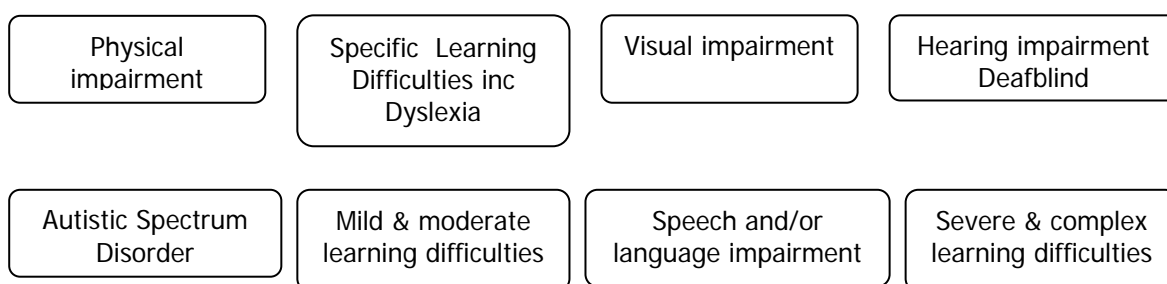


Figure 13.1: Pupils to be supported by the model

Range of alternative formats

The model of provision aims to ensure that all necessary accessible formats are equally available to any child who has difficulty with the standard written form. These formats include:

Printed materials:

- Adapted print (e.g. on coloured paper, in a different font, different spacing etc);
- Large print (in a range of sizes);
- Simplified text;
- Symbolised print;
- Braille.

Audio formats:

- Cassette & CD;
- MP3;
- Daisy Talking Book.

Digital or electronic text and multimedia formats (eText), e.g.:

- MS Word (DOC);
- PDF;
- RTF;
- HTML;
- Kurzweil (KES);
- Daisy;
- MS PowerPoint (PPT);
- Clicker (CLK);
- Textease (TE).

Figure 13.2 inserts examples of accessible formats required within Model A.

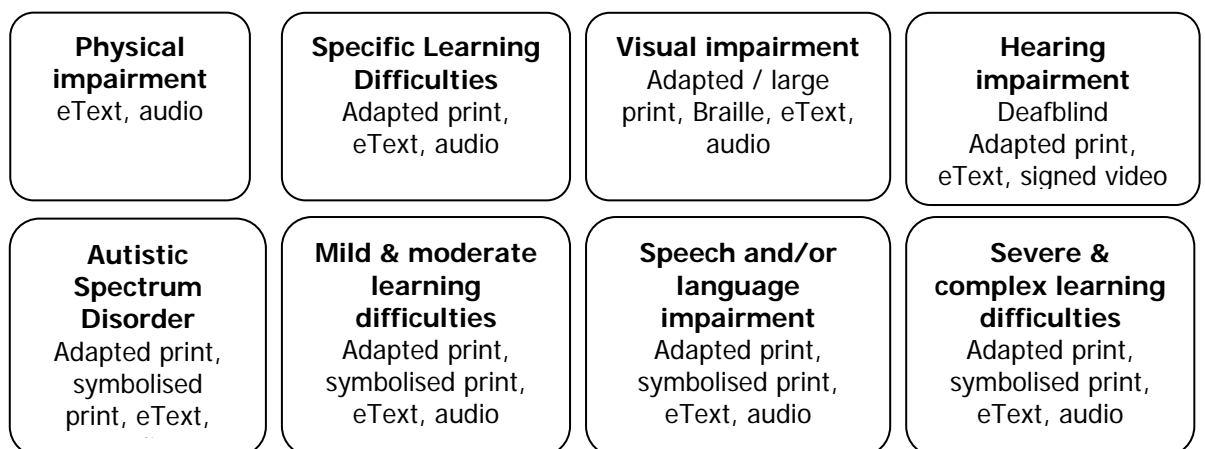


Figure 13.2: Pupil groups and required formats

For convenience in Figure 13.2, we have grouped all audio formats together as 'audio' and all digital or multimedia materials as 'eText', but it is important to note that different pupils require different types of materials within these format options. For example, most pupils can access audio materials in MP3 format but some pupils with significant visual impairment may require resources in Daisy Digital Talking Book format; pupils with more severe and complex difficulties might require eText in the form of symbolised digital resources, accessible through switch or touch-screen; while dyslexic pupils might use digital text with support from text-reading software.

Support to local authorities to fulfil legal duties

Education authorities have a duty to provide education for all pupils including those with disabilities and additional support needs. The duty does not lie with the Scottish Executive, with voluntary organisations or with other agencies.

Therefore the primary source of accessible learning materials should be through local authority services and structures. In Sections 1 to 12 we noted that many children require materials adapted to their particular needs and that in many cases this can only be done with local expertise and knowledge. This principle does not require individual schools to always work through local authority services – if a school can obtain materials directly from a commercial, local authority or voluntary provider for example, then the school should be able to do so – but it does recognise the central role and responsibility borne by the local authority.

Many educational resources such as workbooks and worksheets are generated by individual teachers in schools and the creation of accessible versions of these materials is the responsibility also of the local authority. In most cases the rights to such products – both paper and alternative format – belong to the local authority.

We noted earlier that availability of accessible materials for certain pupils with a visual impairment (those who use Braille and large print) is relatively good in comparison to availability of accessible learning materials for pupils with other types of print disabilities.

Model A should therefore stimulate the development of local authority services on an equitable basis: if a local authority provides Braille copies for a blind child, so too should it provide accessible digital books, for example, to children who are physically unable to handle paper materials. Where a local authority has developed a Visual Impairment Transcription Service or arranged contracts with external suppliers to produce Braille, large print and audio books for blind and partially sighted children, so it should consider how adapted print, print with symbols, audio and digital materials can be produced and distributed throughout the local authority for dyslexic, hearing impaired and physically disabled children and those with learning disabilities.

There are also a number of national government and voluntary organisations that support local authorities and Model A must take account of these agencies and their current and potential roles. In order to ensure equity and inclusion for all groups of print-disabled children, the model of provision must involve agencies representing and supporting children with different disabilities. Model A is therefore not designed around the needs of pupils with one type of impairment.

Figure 13.3 illustrates how a local authority (or other responsible body) relates to pupils whose print-disabilities arise from impairments, and also adds government, voluntary organisations and publishers to Model A of service delivery.

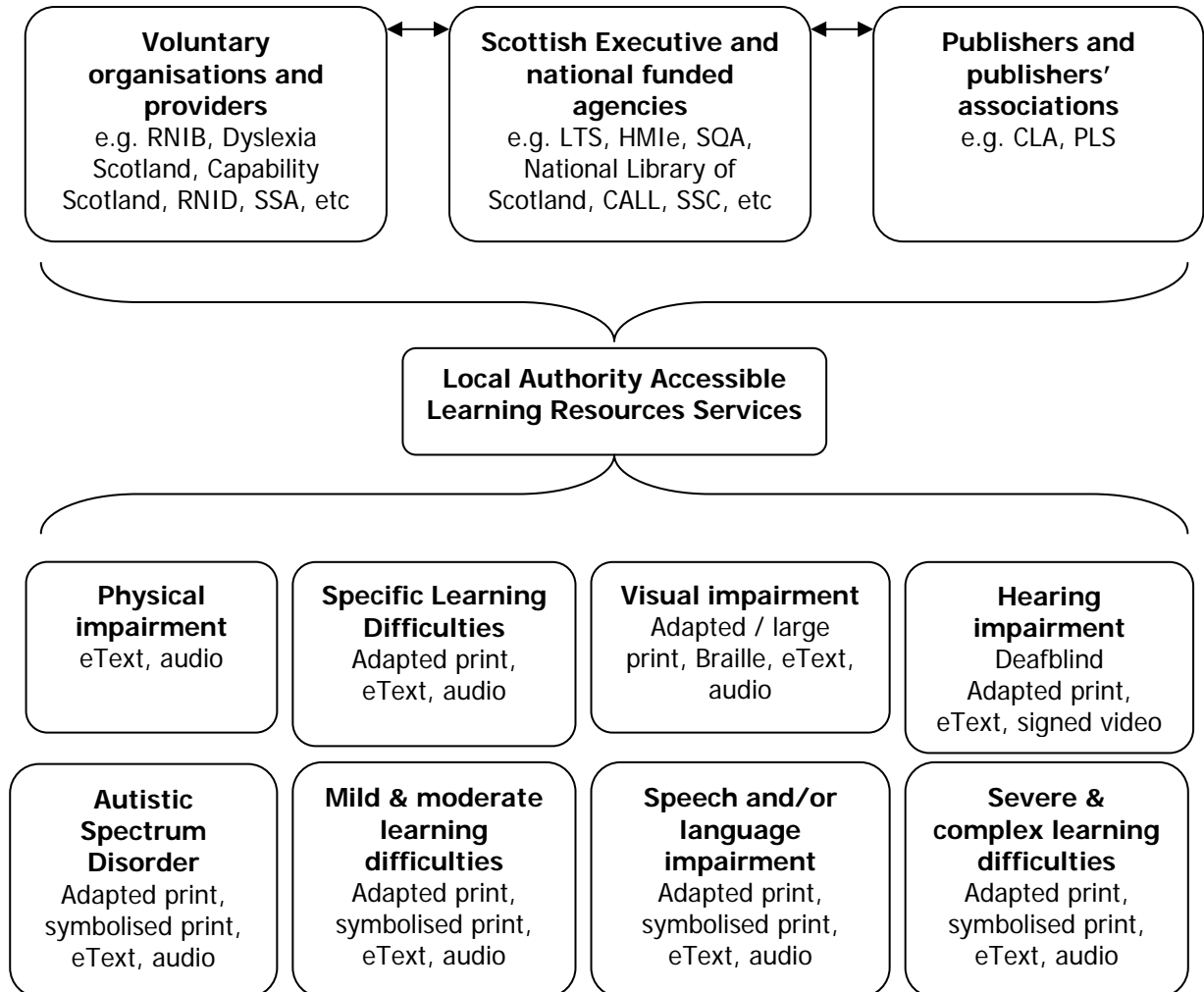


Figure 13.3: National and local authority provision

Copyright

Raise awareness of existing copyright exemption

It is necessary to raise awareness of the copyright exemption established in the 2002 Copyright (Visually Impaired Persons) Act¹⁰¹ and the fact that it applies not just to pupils who have difficulty seeing print. Throughout the period in which we have carried out the Books for All project we have, with one exception, noted a complete lack of awareness about who the current copyright exemption legislation applies to and who is not exempt. For example:

- Major voluntary organisations that work with people who cannot physically hold books or turn pages are unaware that copyright exemption applies to them.
- Staff at all levels of local authorities – from senior management to classroom assistants – if they are aware of the Copyright VIP 2002 Act, believe it applies only to visually impaired pupils.
- Currently, local authority transcription services only serve pupils with a visual impairment and work under the Copyright VIP Act to make accessible copies available to pupils within their own local authority. There is little sharing of materials between authorities.
- Many VI services are unaware of the need to, and do not check Revealweb¹⁰² for the availability of materials before they produce them.
- There is in fact a provision for authorities to share resources made for pupils who fall within the Copyright and VIP Act definition: the (free) Copyright Licensing Agency ‘VIP’ licence (CLA 2003) is designed for this purpose. Local authority transcription services in Scotland should therefore be encouraged to take out a CLA VIP licence so that materials produced can be used by pupils and services in other local authorities.

Note that providers listed on Revealweb can only legally provide materials to people who are copyright-exempt and the majority of the materials listed are Braille, Large Print and audio for people with a visual impairment, so that even if local authority services made better use of Revealweb, it would not benefit the majority of pupils with a print disability in Scotland.

Provision for groups not covered by copyright exemption

Copyright exemption regarding the creation of accessible materials currently applies to a sub-set of print-disabled groups. Since copyright law is a reserved matter Model A must aim for materials to be provided for non-exempt groups by negotiating licences with the publishers and/or the Copyright Licensing Agency. The model includes licensing at both national, local authority and possibly school levels.

For some publications, the most efficient and cost-effective approach may be for a licence to be negotiated on a national basis: for example, in respect of titles that are used by a majority of schools in Scotland. Such negotiation might be

¹⁰¹ Essentially, this gives freedom to create and provide accessible copies for anyone who is visually impaired, physically unable to use books, or has a physical difficulty tracking or focussing their eyes. See Books for All section 12.

¹⁰² www.Revealweb.org.uk; the online database of over 100,000 accessible titles, mainly in Braille, Large print and audio; see Books for All Section 7.

undertaken by COSLA or another agency that can represent all local authorities and other responsible bodies.

Similarly, for other titles which may be used by only one or two local authorities, the local authority may wish to obtain permission or negotiate a licence to create accessible materials for pupils who “have difficulty reading information provided in standard written form” but who are not covered by the Copyright VIP 2002 act, by:

- seeking permission from rightsholders to create and provide materials across the authority (thereby avoiding the current duplication of effort whereby staff in schools seek permission and then adapt the same books);
- negotiating a licence with CLA to adapt the materials.

Such provision is likely to be regarded as ‘reasonable’ under Disability Equality legislation: “Similarly, they could consider implementing a strategy to make curriculum resources, that are currently paper-based (such as textbooks or worksheets), available in common electronic forms to assist pupils with visual or learning difficulties.” (Scottish Executive 2002, para. 41).

It is also necessary for schools to approach publishers independently in order to request permission to adapt specific titles because in most cases the purchase of books and resources is devolved to individual schools and/or departments in schools.

Given that schools source books and learning materials on an individual basis, and yet local authorities have a responsibility for developing accessibility strategies and for improving the delivery of information, then action will be required both at local authority level, and in schools, to coordinate the production, distribution and sharing of accessible resources.

Comments made to the Books for All project team from staff and publishers suggest that educational publishers such as Harcourt Education (Heinemann, Ginn, Rigby, Payne-Gallway), Oxford University Press and Leckie and Leckie are in principle happy to give permission for publications to be adapted for pupils with print disabilities. At present, permission is requested and granted for adaptation of a book for an individual pupil, which does, as noted previously, lead to huge duplication of effort for both education staff and publishers: staff all over the country write to request permission to adapt the same books for different pupils. A more efficient approach, as we have outlined, would be for local authorities to negotiate licences with publishers, or preferably for COSLA or another body representing education in Scotland to negotiate a licence with CLA that would enable local authorities to meet the obligations under the Disability Equality duties.

Reconciling Disability Equality and Copyright legislation

Disability Equality legislation requires responsible bodies to provide resources in alternative formats, while Copyright law restricts such provision to a small proportion of children who require accessible texts. This anomaly can only be addressed by changes to legislation at a UK level, or by amendments to licensing. The Right to Read Campaign is calling for action on a UK basis to ensure that all print-disabled people “have the Right to Read the same book, at the same time, at

the same price”.¹⁰³ In our view, unless copyright exemption is extended to all print-disabled groups, any progress made by the Campaign will further increase the gap in provision between the visually impaired and other print-disabled children (including, as we have seen, those who are exempt but whose needs are not being met). The Right to Read Alliance is also lobbying for the law to be extended “to all people who have difficulties reading normal printed text who are covered by the Disability Discrimination Act 1995”¹⁰⁴ which would bring copyright law in the UK into line with other countries. In the U.S., for example, the 1996 Chafee Amendment states that:

“it is not an infringement of copyright for an authorized entity to reproduce or to distribute copies or phonorecords of a previously published, nondramatic literary work if such copies or phonorecords are reproduced or distributed in specialized formats exclusively for use by blind or other persons with disabilities” [US Public Law 104-197 Chafee Amendment to chapter 1 of title 17, section 21].

This amendment applies to people who have learning disabilities as well as those with visual, perceptual or physical difficulties.

It is possible that the CLA might extend the scope of the existing licences to cover groups who are covered by the DDA, but who are not currently exempt under the Copyright VIP Act. This would appear to be a reasonable interim solution to the current inequitable situation whereby a school or local authority can adapt materials for one pupil who has reading difficulties because of a visual problem, but not for another who cannot read because of phonological or language difficulties.

Feasibility and efficiency

Reduce duplication

As we have reported there is considerable duplication of effort between schools and between local authorities with regard to the creation of accessible learning materials. In part this is due to the restrictions imposed by copyright law which allows materials to be distributed easily to some print-disabled children but not all. It is also due to lack of awareness: teachers and service providers are simply not aware of what can and cannot be legally created and shared. Lastly, it is due to a lack of suitable mechanisms for cataloguing and sharing materials between schools within local authorities, and between local authorities and services. Model A addresses all of these issues. Measures to address copyright restrictions have been outlined above.

Awareness and expertise

The model is based upon local authorities, as responsible bodies, coordinating the provision of accessible learning resources to pupils within the authority. The lack of provision revealed in this project suggests that local authorities are not taking adequate action in this regard and we therefore recommend that support is given to authorities to encourage and assist the establishment of effective provision.

We believe that most local authorities already have the required components for such a service, but that they could benefit from tailored advice or consultancy,

¹⁰³ Right to Read Campaign, http://www.rrib.org.uk/xpedio/groups/public/documents/publicwebsite/public_r2rdeclaration.hcsp

¹⁰⁴ Right to Read Campaign, <http://www.dyslexia.org.uk/r2r.php>

plus training and CPD, to make best use and deliver best value. Model A therefore includes a development role for a unit, to be funded nationally, to deliver such support.

Cataloguing and sharing resources

Provision of accessible materials is already made for some pupils with visual impairments in most local authorities but as we have noted earlier, resources are not shared between services: none of the Scottish transcription services are listed on Revealweb, for example.

Duplication could be reduced by sharing resources nationally as well as within local authorities. There are several possible options for cataloguing and sharing accessible learning resources:

- retain the status quo – local authorities could share information and resources as and when they see fit;
- use Revealweb;
- create a dedicated system, which we are calling a Scottish Accessible Learning Resources Network.

We recommend the third option. The status quo is rejected because it will not improve availability of accessible books; and we have doubts whether local authority services will take out CLA VIP licences in order to notify and share materials and resources (across the UK) via Revealweb. Even if they did it would not benefit the majority of print-disabled pupils who are not exempt from copyright law because Revealweb can only be used to catalogue and share materials for those people who are copyright exempt.

The Scottish Accessible Learning Resources Network would be responsible for:

- stimulating development and operation of local authority accessible resources services;
- negotiating copyright on specific titles for (Scottish) national use;
- liaising with relevant government, voluntary and commercial agencies;
- operating a cataloguing and resource-sharing mechanism (which includes a national file repository).

Sections 7 to 11 have shown that considerable efficiencies and improvements in provision are possible by establishing file repositories of source digital versions of curriculum resources, and a national repository is suggested in Model B. Model A assumes that local authorities will establish their own repositories (e.g. for materials which are created originally within the local authority or for materials that are heavily used by the authority) and that there should be a mechanism for sharing files between local authorities. This could take the form of a Revealweb-style database and/or a file repository. It is our view that the Network should establish a file repository to collate and produce digital versions of commonly used Scottish curriculum resources in order to stimulate and support the development of services in local authorities, and improve efficiency of production. We believe that the agency running the file repository should be centrally funded and independent of any single disability group in order to ensure that all print disabled pupils are supported equally. The formats provided by the repository should be PDF (as provided by publishers) and Microsoft Word (as the core format which can be used to generate other accessible formats).

The Scottish Accessible Learning Resources Network bank would link to any developments that might take place on a UK basis; for example as described later in this section discussing Model B.

Feasibility

We believe that the implementation of this model is feasible and cost-effective.

Local authorities will have to broaden their scope to include the production of accessible resources for children who have a wider range of print disabilities than visual impairment. We believe that this can be achieved by better organisation of existing efforts to create accessible learning resources to reduce duplication of production. In many local authorities, much work has already been done: services will already have electronic versions of many books which were created in order to generate large print and Braille formats, for example. Books for All has identified many schools where accessible materials have been created and could, with due negotiation over licensing, be shared across and outwith the authority.

Resources are required to establish the Scottish Accessible Learning Resources Network but again we believe that the major components of this already exist. The Network is not a national transcription service, but a mechanism for coordinating the activities of national agencies and local authority providers.

Scalability

Implementation of Model A can be tackled in stages, but it is vital that any staged development is progressed in terms of construction of the overall model (as opposed to the development of a single vertically integrated service for one user group). The establishment of mechanisms for negotiating copyright, creating resources, cataloging and sharing will be extendable to the wider school population if necessary.

Scottish Accessible Learning Resources Network

The Scottish Accessible Learning Resources Network would be a body independent of any single disability group and would undertake the following roles:

- liaison with SEED, COSLA and publishers' associations and CLA over national licensing for production of accessible resources;
- provision of advice and consultancy to local authorities;
- staff development for local authority staff involved in production of accessible resources;
- mechanisms for electronic file storage of materials and cataloguing and sharing resources.

Figure 13.4 illustrates agencies involved in the Scottish national provision of accessible learning resources.

Figure 13.5 focuses on how a local authority might provide services to different groups of pupils with disabilities (with service provision organised by disability group), while Figure 13.6 illustrates provision according to the type of support required. These two models are offered to demonstrate that authorities have the responsibility and the right to develop models to suit their own circumstances.

Figure 13.4: Scottish Accessible Learning Resources Network

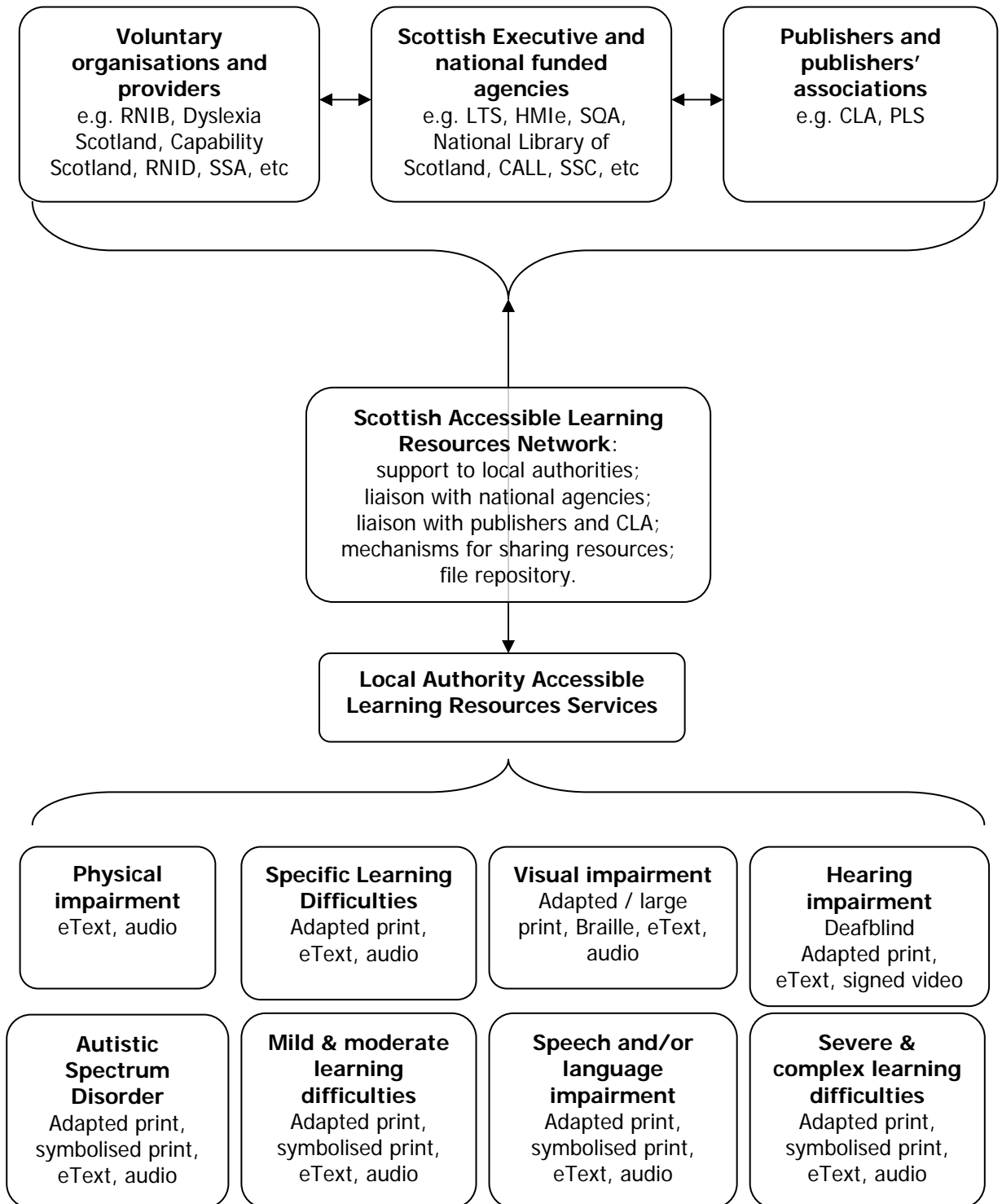


Figure 13.5: Local Authority provision by pupil group

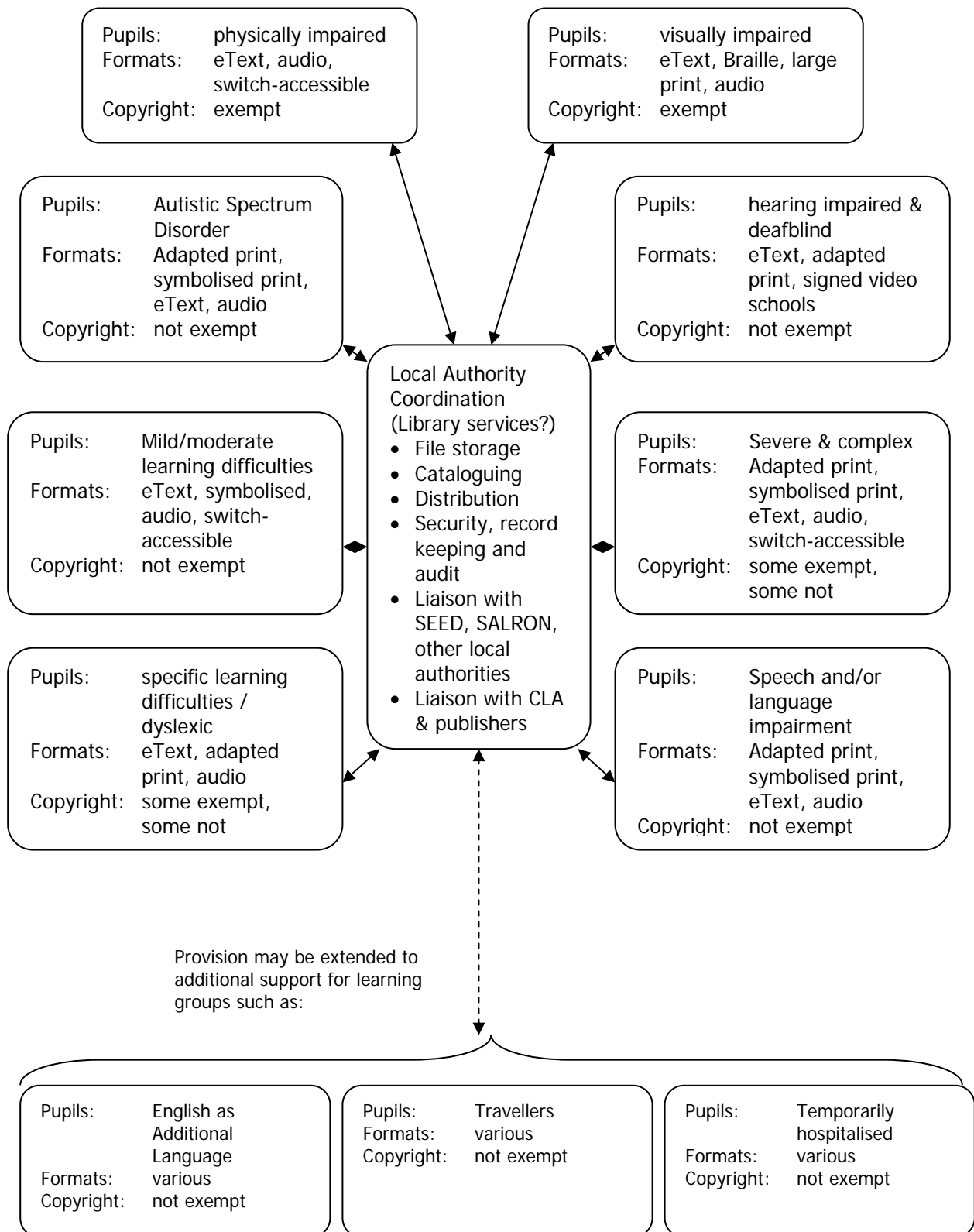
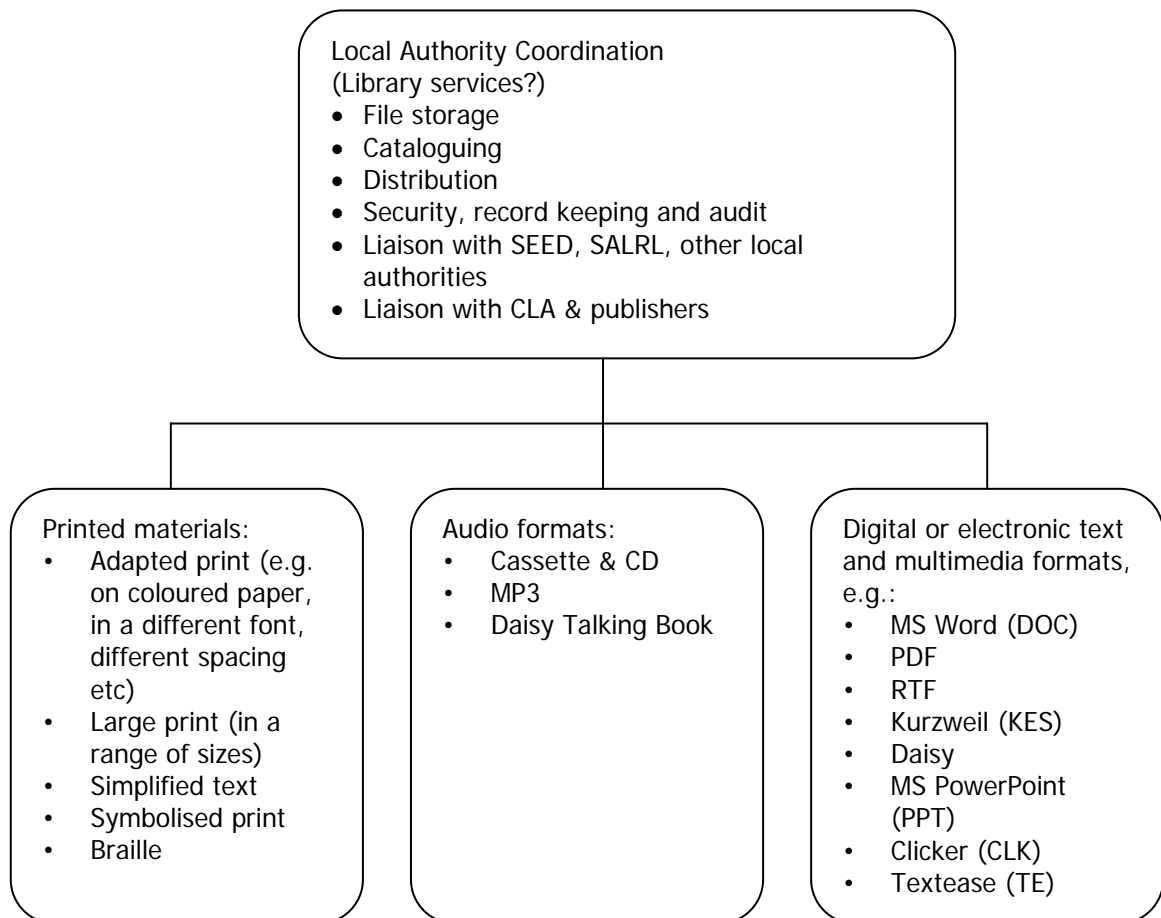


Figure 13.6: Local Authority provision by nature of support need



UK Provision of Accessible Books for Print-Disabled People (Model B)

Most books published in the UK are published on a UK-wide basis: publishers are required to lodge a copy of every newly published book with the British Library; copyright exemptions for visually impaired people and those who have difficulty holding books and turning pages apply across the UK; Disability Equality duties apply in all parts of the UK; and key relevant agencies operate across the UK.

Therefore, initiatives to create and distribute books in accessible formats (including Model A above) must be considered in relation to a UK perspective.

One possible model for UK-wide creation and distribution of accessible books has been proposed and described in some detail in a report commissioned and published by the Museums, Libraries and Archives Council in 2005 (MLA, 2005).

We endorse this model, subject to one crucial and significant amendment: the model proposed in the MLA report focuses only on the needs of people who are visually impaired, and as we have demonstrated throughout this report, the scope of such a service must be broadened to include all people with print disabilities.

The MLA report recommends exploring mechanisms for sourcing and storing digital files, and RNIB and the Publishers Licensing Society (PLS) are currently investigating how published material could be made available in digital form, for conversion into large print, Braille, and audio products¹⁰⁵. This is a small-scale exploratory project – to date 120 files have been provided by 7 publishers – but results should be helpful to inform progress towards effective UK provision of materials in accessible format. However, like the MLA report, the project is limited in scope and is concerned only with the production of materials for blind and partially sighted people.

(As part of the Books for All project we also contacted a small number of publishers in order to explore the range of digital formats available and received 718 samples of textbooks and worksheets in different electronic formats from Harcourt and Oxford University Press. Clearly publishers are willing to explore collaboration.)

In this section we describe the MLA UK-wide model, and how it could be expanded to include other groups in addition to the visually impaired population.

The MLA report outlines five roles (**not** organisations) required for provision of books in alternative formats:

- Publisher;
- Repository;
- Service provider;
- Public library;
- User.

¹⁰⁵ PLS Visually Impaired Persons project, http://www.pls.org.uk/ngen_public/article.asp?aid=337

Publisher

Publishers would submit an electronic PDF file to a central UK repository for every book published (on the same basis as they submit a paper copy to the British Library at present). Publishers would be encouraged but not required to also submit files in other formats such as XML, where possible.

Repository

The repository provides a secure, trusted environment for receiving, storing, disseminating and auditing distribution of digital files. Service providers (see below) would draw files from the repository and convert them to suitable accessible formats. The MLA report suggests that the repository may also convert PDF files from publishers into other formats (e.g. XML and/or the developing US NIMAS standard ¹⁰⁶) and the report notes a number of tools, methods and commercial services for converting PDF to other file formats. The PLS/RNIB project mentioned above is currently exploring some of these methods. The repository may also act as a clearing house for materials in accessible formats in order to reduce duplication of effort but the majority of file conversion will be undertaken by service providers. The repository will have a role in validating and auditing service providers.

The MLA report suggests RNIB, MLA or the British Library would be suitable organisations to operate the repository. We recommend that the British Library is the natural agency to undertake this role. It is important that the agency providing the repository service is not linked to one single user population, in order to ensure equity. For example, the MLA report suggests that the repository might process files into Daisy formats, but this would not be equitable unless the repository also processed files into other formats required by other user groups. The repository should therefore be independent of organisations representing specific user groups.

Service provider

The service providers are specialist organisations who convert the digital files into suitable accessible formats. Such service providers are likely to be voluntary organisations, local authority or school services. Service providers would be validated by the repository agency.

The MLA report lists provision of audiobooks: large print, Braille and eBooks, but this list must be extended to include other formats and providers for other print-disabled groups. The report notes that the service providers will need to have expertise in 'understanding very closely the needs of their particular audience, and how to manipulate file formats and produce output that meets their needs economically'. A range of service providers is therefore envisaged, serving different user groups and needs.

The MLA report concentrates upon meeting the needs of people with visual impairment, but as we have seen, this should be extended at least to other groups who are covered by the Copyright (Visually Impaired Persons) Act 2002.

¹⁰⁶ National Instructional Materials Accessibility Standard (NIMAS), <http://nimas.cast.org/>

However, at present, there are very few providers that exist to serve the needs of print-disabled people who are not visually impaired (see Sections 7 and 8). Revealweb lists 146 providers of accessible materials and the majority produce Braille, Large Print and audio for blind and partially sighted people. There is therefore a need to stimulate the development of equivalent services, on a UK basis, for other groups. For example, agencies supporting people who have a physical difficulty handling books, such as the ACE Centres in England, the CALL Centre in Scotland, local authority services and individual schools, and voluntary organisations such as Scope, Capability Scotland and MND, MS and Spinal Injury associations might source digital files from the repository for conversion into suitable digital formats. Organisations working with people with specific reading difficulties or dyslexia (i.e. those who can be defined as 'unable, through physical disability, to focus or move his eyes to the extent that would normally be acceptable for reading'¹⁰⁷) would be able to retrieve digital files and convert them to suitable audio, adapted print and digital formats.

However, such provision will not meet the needs of all people who have difficulty with print and who would benefit from books and information in alternative formats because copyright currently prevents provision of these accessible materials to, for example, the hearing impaired or those with reading difficulties as a result of phonological or language processing difficulties. If the groups covered by copyright exemption could be extended, or permission obtained in some other way, then organisations and services supporting Deaf and hearing impaired people might use the files in the repository to create multimedia resources with signed video; those working with people with a range of different learning difficulties would use the digital text and illustrations to create symbolised materials; and agencies working with all reading-impaired or dyslexic people (not just those with 'visual dyslexia') could obtain, adapt and supply accessible books to this user group.

Implementation of this Extended MLA model should therefore aim to address the issue of copyright through changes in legislation and/or licensing.

This model allows for a multiplicity of providers to suit the varying needs of users. Providers may be national agencies, but can also be specialist services in local authorities, colleges and universities. In Sections 3 and 4 we noted that pupils often have very specific needs which are best met by local services.

Providers would be encouraged to offer copies of materials back to the repository for distribution to other providers. Providers would be obliged to restrict access to materials to those users who require them as a result of disability, and would maintain records to that effect.

Public Libraries

The MLA report suggest that public libraries would provide the main route for end users to access accessible books and while this is suitable for the general public, it is likely that educational establishments such as schools, colleges and universities will require other routes.

¹⁰⁷ Copyright and Visually Impaired Persons Act 2002, <http://www.opsi.gov.uk/acts/acts2002/20020033.htm>

Users

The MLA report addresses the needs of blind or partially sighted people: as we have said, this coverage must be extended at least to those with copyright exemption, and in time, to other print-disabled groups.

The Extended MLA Model B is given in Figure 13.7.

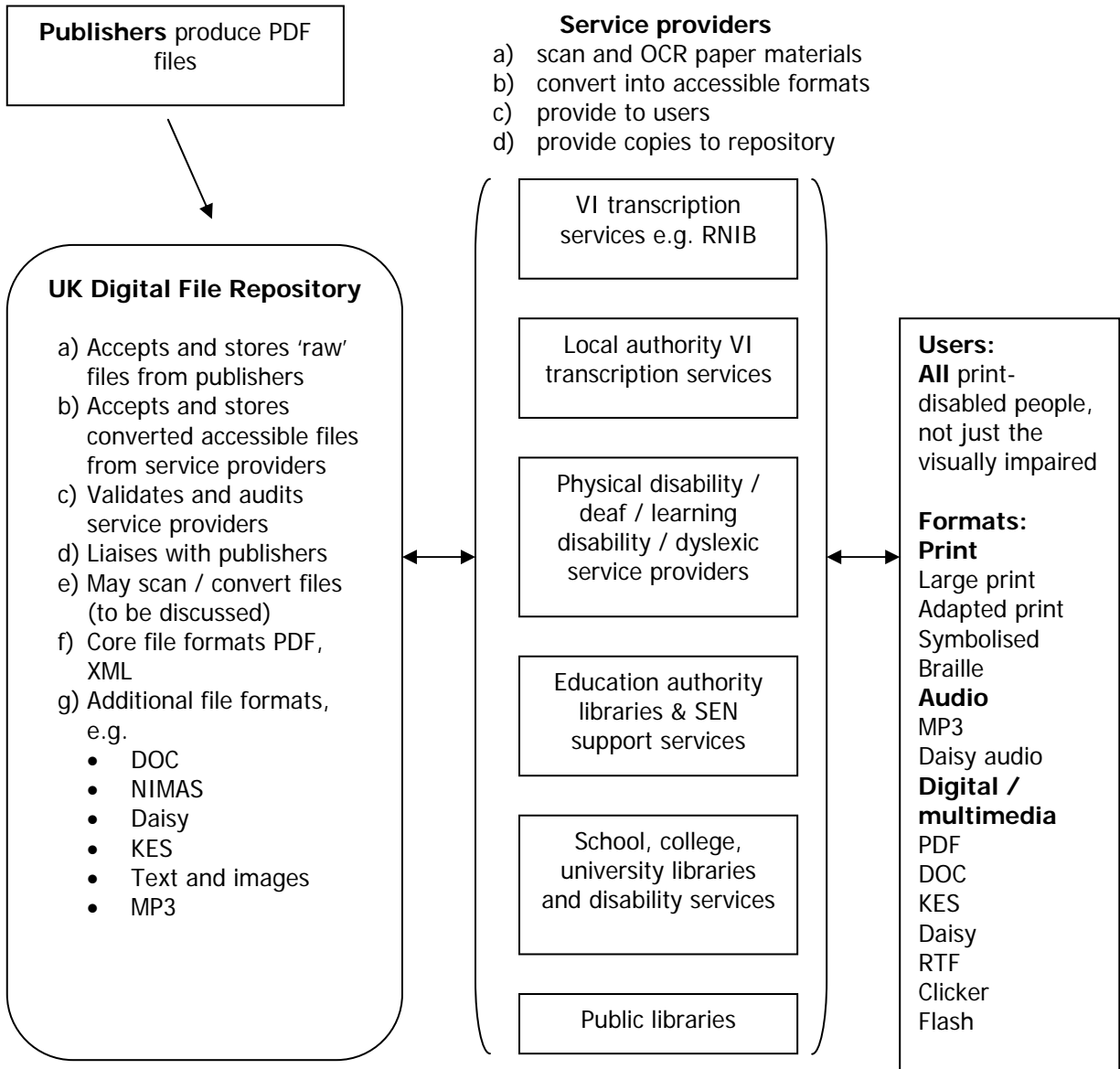


Figure 13.7: Extended MLA UK Model of provision

Consideration of Extended MLA Model B against criteria

Inclusion

Provision based upon the Extended MLA model, amended for all user groups currently covered by copyright exemption, would address the needs of a proportion of pupils in Scotland who have difficulty accessing standard written books as a result of an identifiable disability. Addressing the needs of all pupils

will require changes in legislation and/or licensing and development of service providers to publish accessible materials for print-disabled groups who are currently poorly served.

The Extended MLA model is designed to produce accessible versions of published materials. A significant number of materials used in schools are actually produced within education authorities and schools and so this model would not address the need for accessible versions of such materials: developments in local authority services (via Model A) would be required in order to satisfy the need.

Alternative Formats

This extended model would produce a good range of accessible materials in a wide range of formats (provided services to create the full range of formats were developed).

Support to local authorities to fulfil legal duties

The model would support local authorities by providing access to digital source texts, but would not address the need for awareness-raising, staff development or provision of materials created within the local authority itself. The MLA model would only support local authorities to meet legal duties for a sub-set of print disabled pupils; the Extended MLA model addresses a wider group, but without changes in copyright legislation local authorities would not be supported to address responsibilities to all pupils.

Copyright

The MLA model operates within existing copyright law, which as we have noted is inequitable. Our Extended MLA model will require changes in copyright legislation at a UK level, as copyright is a reserved matter, or extension of CLA licences.

Feasibility and efficiency

Implementation of this model is feasible but will require changes in copyright legislation and/or licensing, and considerable discussion, coordinated action and planning across a wide range of national and local government departments, voluntary agencies, publishers and publishers associations, the Copyright Licensing Agency, and bodies such as the Museums, Libraries and Archives Council. Implementation of such a model is likely to take some considerable time and there are many risks associated with such a model.

Scalability

Model B could be implemented and scaled up in stages. The first stage would be the establishment of the independent UK repository, and the validation of approved service providers to produce materials for users who are currently covered by copyright exemption (i.e. those with specific visual impairments, physical disabilities and visual/perceptual difficulties). There are already many service providers supporting people with visual impairment and so there would be a need to stimulate the development of corresponding services for other groups.