

# Web2Rights

## Legal Issues Check List

*[Based on Resources created by JISC Legal]*

### Guidance

This checklist can be used to help JISC projects engaging with next generation technologies:

- Understand some of the legal issues which might arise and therefore minimise the risk of non compliance with the law
- As a quick reference guide for developing and implementing a Web 2.0 policy
- Giving pointers for updating existing institutional policies

### Check List

- Do you have a policy at your institution which covers Web 2.0 activities?
- Are staff and students made aware of their rights and responsibilities prior to using Web 2.0 tools at the institution?
- Does the policy govern appropriate use of the Web 2.0 tool by staff using Web 2.0 as a teaching tool?
- Does the policy provide for the regulation of copyright ownership in staff and student contributed material in Web 2.0, as well as the contribution of other third parties?
- Are provisions in the policy geared to govern the use of the Web 2.0 tool by visitors to the institution?
- Are users made aware of Data Protection issues and privacy setting checks (e.g. use of cookies, usage monitoring) on institutional Web 2.0 tools before registering to use them?
- Where the institution collects personal data of individuals using Web 2.0 tools, does it only collect information that is relevant to fulfil the purpose for which it was collected?
- Does your institution include clear policies to comply with Freedom of Information legislation whether by ensuring that appropriate information is available through a publication scheme, or having procedures are in place to respond to a freedom of information request within the time limit?
- Are appropriate confidentiality agreements entered into with third-parties regarding the transfer of personal data over Web 2.0?
- Where the Web 2.0 service operates and exposes users to marketing or advertising material, are users given the option to opt in to the receipt of such material?
- Is appropriate rights clearance obtained for third-party materials before they are uploaded on to wikis or blogs?
- Is the service offered through Web 2.0 accessible to disabled staff and students?

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- Does your institution's policy provide specific instructions for users on how they can report any offending material (e.g. copyright infringing, defamatory, obscene content etc) found available on the Web 2.0 tool?
- Does your institution have an appropriate person or persons who is authorised to decide if the content found available on the Web 2.0 tool is offending?
- Does your institution's policy provide for a notice and take down procedure in case offending material is found posted on wikis or blogs or other Web 2.0 tools?
- Does your project underpin its deployment with Terms and Conditions of Use which take into account, and refer to where appropriate, institutional policies?
- Does your project include in any policies a clear procedure to be followed in cases of dispute relating to Web 2.0 for example if unlawful/illegal content is placed on the technology?
- Has your project considered any e-Security issues, and ensured that the necessary information has been made available prior to the launch of the application?