

Research Publications and Copyright Policy

Approved by Senate 14 December 2022

Purpose

Making our research outputs widely available has many benefits, including increasing the opportunities for creating impact, delivering benefit to society and thereby changing lives.

The purpose of the policy is to make clear the basis upon which University of Sheffield researchers can make their research outputs open access as required by most major research funders and as outlined in our [University statement on open research](#). For the purposes of this policy 'University of Sheffield researcher' refers to members of staff undertaking research as part of their role and postgraduate research students.

The Copyright, Designs and Patents Act 1988 (CDPA 1988) states that: "Where a literary, dramatic, musical or artistic work or film is made by an employee in the course of his employment, his employer is the first owner of any copyright in the work subject to any agreement to the contrary" (S11.2).

The University of Sheffield accepts that this applies to scholarly outputs but wishes to uphold the long tradition of allowing researchers to exercise control over their scholarly outputs. This policy is intended to set out clearly the basis for this control and supports authors to retain this control in line with funder requirements and University strategy.

This policy recognises that it is not necessary for an author to assign their copyright or grant an exclusive licence to a publisher in order for a publisher to publish their work.

In keeping with the highest ethical standards of research publication, the long-standing principle of author control and the requirements of research funders, the University of Sheffield will adopt the following policy:

1. The University of Sheffield confirms, notwithstanding the CDPA 1988, that its current practice is that researchers, both employees and postgraduate research students, can control the use of copyright in their scholarly works.
2. Upon acceptance of publication each researcher agrees to grant the University of Sheffield a non-exclusive, irrevocable, worldwide, royalty-free licence to make manuscripts of their scholarly articles publicly available under the terms of a Creative Commons Attribution (CC BY) licence.

3. After granting such a licence, on acceptance of publication researchers will deposit an electronic copy of the author accepted manuscript (AAM) of each article in White Rose Research Online (WRRO) via myPublications.
4. The University of Sheffield will usually make article metadata available immediately upon deposit, with the AAM being made accessible to the public on the date of first online publication (or the conference end date for conference proceedings), or as soon as is practically possible thereafter, under a Creative Commons Attribution (CC BY) licence.
5. This policy applies to all scholarly articles, including conference proceedings, authored or co-authored while the person is a staff member or postgraduate research student of The University of Sheffield, and also includes any third party content where rights to use or reproduce that content have been secured or where such content is used under the fair dealing exemption in the CDPA 1988. Any articles submitted, or accepted, for publication before the date of adoption of this policy are exempt. This policy only applies to first copyright in authored research publications. It does not extend to other Intellectual Property Rights (IPR) in research, which are already covered in the University's IPR Policy
6. Whilst the policy does not currently apply to monographs, scholarly editions, text books, book chapters, collections of essays, datasets, software, or other outputs that are not scholarly articles, the University strongly encourages researchers to make such works as openly available as possible, within any applicable constraints of confidentiality or obligations to third parties such as commercial research partners.
7. The University recognises that there may be situations outside a researcher's control where it is difficult to follow this policy exactly. In this case it will be permissible for researchers to opt out of the requirement for immediate open access upon publication, or the assignment of a CC BY licence. However this may cause the research output to be non-compliant with funder policies. Any decision to opt out should be accompanied by a clear rationale. The collective rationales will be reviewed on a regular basis.
8. This policy does not impact upon the moral rights of researchers (for example the right to be identified as the author of a copyright work or to object to unauthorised modification, distortion or derogatory treatment) and such rights continue to apply and to be exercisable by researchers.

version 1.0 4/10/22