

Guidance for Departments on dissemination of research papers and research results to avoid breach of copyright

The University and copyright law

The University of Sheffield supports the view that wide dissemination of research papers and research results is essential to its success as a leading-edge institution, and acts as an indicator of its impact in extending knowledge across multiple disciplines. However, it is important that such dissemination is pursued in strict accordance with the law and, in particular, takes full account of the copyright permissions agreed with publishers.

Recent developments such as open archiving mean that publishers are taking a more active interest in how the electronic versions of material published in their journals, books and monographs are being utilised, and are adopting a stricter approach to granting permissions. At the same time, the University has signed a 'Digitisation Licence' with the Copyright Licensing Agency (CLA) which permits the copyright-free digitisation of some UK-published material under strictly-controlled conditions. According to the terms of the Licence, the CLA can confirm compliance by insisting on reviewing the content of all University and Departmental web pages and the University's VLEs (WebCT and Minerva) at any time.

Examples of breaches would be research papers (one's own or those of another researcher) scanned and added to a WebCT course, or a publisher's pdf made available via a Departmental web site, where written permission has not been obtained from the copyright holder. Publishers' copyright subsists within the typography, layout and arrangement of the printed page, and it must not be assumed that a researcher's own papers can be made freely available in this form.

There are real risks to the University that the CLA, in response to a breach, would not simply fine the institution but revoke its Licence, not only for digitisation but for photocopying as well, making it impossible for the University to function. The policy below must therefore be implemented by all Departments to ensure that the University is not placed at risk.

Policy

Heads of Departments must take steps to ensure that pdf files to support learning and teaching, for the dissemination of research results, or for any other purposes, are not mounted on any University or Departmental web pages or within the University's Virtual Learning Environment unless specific written permission has been obtained for each paper so used. This relates both to files produced by individuals from any copyright materials and to pdfs of researchers' own papers.

Recommended dissemination method for research papers

The White Rose ePrints Repository provides a mechanism for the effective dissemination of peer-reviewed research outputs. Research Committee's Open Archiving Policy endorses the principle of open archiving, and all academic and research staff and postgraduate students are recommended to deposit a copy of their peer-reviewed research outputs in the White Rose ePrints Repository.

Publishers' policies on the deposit of papers in repositories varies, and may change from time to time. Many publishers allow deposit of the final version of an author's

paper in its original format (typically as a Word file), but will not allow their own pdf files to be used. The Institutional Repository Officer can advise authors on this and other aspects of using the repository.

Further information

Open Archiving Policy:

<http://www.shef.ac.uk/content/1/c6/03/25/85/OpenArchiving.pdf>

White Rose ePrints Repository: <http://eprints.whiterose.ac.uk/>

Digitisation Licence: <http://www.shef.ac.uk/library/services/cladigit.html>

Copyright and content in WebCT:

<http://www.shef.ac.uk/library/services/vistacopyright.html>

Copyright: support for academic staff:

<http://www.shef.ac.uk/library/services/copyright.html>

Comprehensive copyright guide: <http://www.shef.ac.uk/library/services/copyrigh.html>

Copyright Licensing Agency: <http://www.cla.co.uk/>

FAQs

In what circumstances can I include my pdfs on my Departmental website?

This can only be done if you receive specific written copyright clearance from your publisher to do this.

The publisher sends me pdfs of my published papers so why can't I use them?

It is not always clear why publishers send these, though presumably it is to enable you to retain a copy of the published version in compact format. The fact that you receive them does not denote ownership and allow you to distribute further, without explicit permission from the publisher.

Can I send a pdf of my paper to a fellow researcher who requests it?

If your publisher sends you a pdf as the final version of your paper, this might be considered similar to a batch of post-prints that are provided for just this purpose. You should be guided by any limitations on the use of pdfs indicated in the contract that you sign with your publisher.

I haven't signed over my copyright to my publisher so this doesn't apply to me, does it?

If you would like to add your paper to your web site, you still need to obtain explicit permission from your publisher: it is very possible that your copyright subsists only in your own version – e.g. a Word document – not the pdf version that your publisher has prepared.

Can pdfs be made available if the paper is in a journal (electronic or print) subscribed to by the University Library?

The fact that the Library has a subscription makes no difference. Unless you have specific agreement from the publisher you can't use your pdf in this way.

Can I download a copy of my paper from the Library's e-journals and use that pdf to disseminate my research?

This is totally illegal and must not be done.

Has any publisher ever prosecuted a University or author for making their pdfs available in this way?

The simple answer is probably 'no' but this is an emerging area in which the perceptions of publishers and the Copyright Licensing Agency are changing. With the advent of Open Archiving and the Digitisation Licence there is much more interest in copyright ownership and the University is clear that all its staff must obey the law.