

ROYAL HOLLOWAY

University of London

Institutional Repository Takedown Policy

Purpose of Policy

This policy serves to minimise institutional risk to Royal Holloway, University of London and its constituent departments and employees from risk from inappropriate material being made available through the institutional repository. It details the response, responsibility and resolution steps following a legitimate challenge to any material hosted on the sites and systems specified. It complements and supports the institution's Open Access Publications Policy and E-thesis Submission Policy, both of which refer to a takedown policy.

Scope

This policy applies to all open access collections in the Royal Holloway institutional repository and research information system, including, but not restricted to, research outputs and electronic theses.

It applies to objects that are able to be publicly harvested from these systems by third-party services and automated agents as well as to objects publicly accessible from these systems by human users.

The Policy

1. Grounds for complaint might include:
 - 1.1. Unauthorized use by reason of reproduction and/or making available the protected material
 - 1.2. Breach of any moral right (integrity/right not to have work subjected to derogatory treatment)
 - 1.3. Issues on grounds other than copyright and/or related rights
2. On receipt of a valid (based on UK law) complaint the Library Repository team¹ will:
 - 2.1. Temporarily remove the item from Royal Holloway websites and systems within 2 working days
 - 2.2. Retain a live metadata record for the item with a note explaining that the item is subject to a takedown request
 - 2.3. Acknowledge receipt of the complaint by email or letter within 5 working days
 - 2.4. Make an initial assessment of the validity and plausibility of the complaint, seeking advice as required.
3. The Repository & Digital Assets Manager, on behalf of and with reference to the Open Access Publications Policy Advisory Group (OAPPAG), will consider the validity of the complaint.
 - 3.1. If the complaint appears to have merit the contributor of the material will be contacted and;
 - 3.1.1. The contributor will be encouraged to discuss the complainant's concerns with the Repository & Digital Assets Manager
 - 3.1.2. The Repository & Digital Assets Manager will attempt to resolve the issue by adjudicating between the complainant and the contributor
 - 3.1.3. Rights and legal advice may be sought as required from suitable individuals including the College's Copyright Officer.
4. The Repository & Digital Assets Manager will endeavour to resolve the issue swiftly and amicably to the satisfaction of all parties:
 - 4.1. Where a resolution is not clear, the matter will be brought before the OAPPAG to consider.
 - 4.2. There are three potential outcomes:
 - 4.2.1. The complaint is judged invalid, then the full-text item will be restored to the live public-facing website unchanged

¹ This includes one of the Library Senior Management Team if the Repository team are unavailable.

- 4.2.2. The complaint is judged to have partial merit, and the full-text item will be modified and restored to the live website after contacting the complainant. A note to the effect that this item has been modified will be added to the metadata record for the item.
- 4.2.3. The complaint is judged valid and the full-text item will not be immediately restored. It may be restored after an embargo period if that outcome is acceptable to all the parties. A note to the effect that the item has been removed will be added to the metadata record for the item.
- 4.3. A link to any replacement or alternative versions will be added in the case of 4.2.2 and 4.2.3 as appropriate
5. A record will be kept of the complaint, review and final decision:
 - 5.1. An email of notification will be sent to the complainant regarding the final decision
 - 5.2. The complaint will be noted at the subsequent meeting of the College Research Committee.

Last Updated: 1st September 2010

Tim Wales

pp. Open Access Publications Policy Advisory Group

Acknowledgment

This policy is based on the University of Leicester's takedown policy kindly supplied by Gareth Johnston, Document Supply & Leicester Research Archive Manager for which grateful thanks are due.