

# MANCHESTER METROPOLITAN UNIVERSITY

## UNIVERSITY EXECUTIVE GROUP

5 DECEMBER 2023

### RESEARCH PUBLICATIONS POLICY (RIGHTS RETENTION)

#### 1. Background

- 1.1 Rights retention enables researchers and institutions to assert their intellectual property rights over their Author Accepted Manuscript (AAM) and make this open access in an institutional repository. This ensures compliance with funder (and likely REF) policy, and ensures as much of our research as possible is visible and globally available. [UKRI funded researchers are already directed to use a rights retention statement](#), and this policy seeks to apply this practice across our research community.
- 1.2 Multiple institutions across the UK have implemented research publications policies, which include rights retention, open access deposit and creative commons licensing. The [N8 research partnership](#) is the most notable of these, as well as [Cambridge](#) and [Edinburgh](#).
- 1.3 Ensuring our research is open access, both through gold OA publishing and deposit through rights retention, ensures our research is visible and available, which in turn maximises impact and enhances our global reputation.

#### 2. Draft Policy

- 2.1 The draft Research Publications policy is available in Appendix 1.
- 2.2 The policy applies to all researchers (including students) and all research publications with the exception of rights retention. Rights retention is applied to journal articles published by staff and students. Further work will be done to explore the application of rights retention to different output types, including practice-based research.
- 2.3 Gold open access articles are published with a CC-BY licence so can already be deposited in our repository to comply with funder and REF policies rather than using the AAM through rights retention; however, this policy grants the institution license to retain rights over all AAMs where publishers have been notified.

#### 3. Publisher response and legality

- 3.1 It is extremely unlikely that a publisher will reject a submission because of the inclusion of a rights retention statement. As soon as a publisher accepts a manuscript in the knowledge that the author has retained their intellectual property rights, the prior licence takes precedence over any subsequent licence. This enables researchers to make their manuscript available in the repository from the day of publication under a CC-BY licence without breaking copyright law.

- 3.2 Multiple institutions across the UK have adopted similar policies (see Appendix 2) and they are not reporting that their submissions are being rejected. The University of Cambridge reports that only two smaller American learned societies rejected papers during their 2022 pilot.
- 3.3 The Library will write to publishers to advise them of this prior licence; this has also been done by multiple UK institutions, and no publishers have provided a negative response. For these publishers, even if a rights retention statement is not included in a submission, we are still legally able to deposit the accepted manuscript and make it available from the date of publication, as publishers will have prior notice of our licence.
- 3.4 The policy has been written to reflect the IP policy and is based on best practice across the sector.

#### **4. Benefits**

- 4.1 Making outputs open access through a rights retention route reduces our reliance on gold open access publishing and our need to pay article processing charges where a Read & Publish deal with the publisher is unavailable.
- 4.2 Whether our research outputs are published gold open access or made openly available in the repository via the green route, all journal articles will be open access at the point of publication and compliant with REF and funder policies.
- 4.3 An institutional approach empowers individuals to retain their rights and makes it more difficult for publishers to reject their submissions.
- 4.4 This approach also furthers a sector-wide shift towards full open access, and ensures our research is visible and accessible.

#### **5. Implementation**

- 5.1 The Library and Research & Innovation will deliver a comprehensive engagement programme, including training, online resources, and targeted communications.
- 5.2 A set of FAQs and waiver form will be provided alongside the policy to support researchers in the actions they need to take at each stage of the publication process.
- 5.3 An Equality Impact Assessment (EIA) has been submitted to the Equality and Diversity team and the policy can be made live once it is approved.
- 5.4 In some circumstances, researchers will be able to opt out by completing a form and providing a reason e.g. their output contains 3<sup>rd</sup> party copyrighted material, or co-authors do not agree to a CC-BY licence. This will be assessed by the Library, and Faculty research leads may be consulted. An opt-out form and process will be developed before the policy is launched.

## **6. Compliance**

- 6.1 The Library will monitor the implementation of the policy and provide an annual compliance report to the Research and Innovation Committee.
- 6.2 Institutional, Faculty, and Departmental research leads are responsible for ensuring research staff adhere to the policy.
- 6.3 Research & Innovation are responsible for reporting on compliance with funder policies.

## **7. Policy recommendations**

- 7.1 The draft Publications Policy was supported at the November 2023 Research & Innovation Committee meeting and UEG is asked to endorse it for submission to Academic Board for approval.
- 7.2 The institutional Open Access policy is subsumed into this policy when it is due for renewal in June 2024.

For more information about rights retention, please review cOAlition S guidance <https://www.coalition-s.org/resources/rights-retention-strategy/>

## **Appendix 1**

# **RESEARCH PUBLICATIONS POLICY 2024**

## **Introduction**

Manchester Metropolitan University firmly believes that published research findings are a public good and that making them available as widely as possible maximises their impact within the academic community and society as a whole. This policy is in line with open access (OA) principles and research funder policies that endorse immediate, free, online, and unrestricted access, where possible, to all research outputs.

### **1.1 Purpose of the Policy**

The research community has traditionally assigned or given away their scholarly works (in addition to the University's rights) to publishers by transferring copyright at the point of publication. This means that many journal articles and scholarly works are under complete or partial control by academic publishers. This research publications policy enables researchers to retain re-use rights in their own work and ensure that funder and REF policy requirements are fulfilled.

This will enable in the delivery of our institutional research strategy, especially raising the profile of Manchester Metropolitan University research and ensure a full record of researcher and institutional research output.

### **1.2 Scope**

The policy applies from [01 January 2024] to:

- All researchers at the University who produce outputs from their research.
- All research outputs (e.g. journal articles, conference papers, book chapters, reports, artistic outputs, theses, data) authored or co-authored by staff or students at the University, unless otherwise stated in this policy.

### **1.3 Roles & Responsibilities**

#### **1.3.1 Researchers are responsible for:**

- Ensuring that their research outputs are made open access irrespective of whether the output is eligible for the REF.
- Including a rights retention statement when they submit journal articles for publication.
- Ensuring that their outputs are available in the institutional repository on acceptance of publication.

- Ensuring the correct institutional affiliation, grant information, and data access statements are used on all their research outputs.
- Registering their ORCID and linking it to their Symplectic account.
- Complying with their funders' policies relating to open access and research data management.

### **1.3.2 Library Services are responsible for:**

- Maintaining and managing the University's research repository, e-space.
- Ensuring that the outputs deposited in e-space adhere to publishers' open access policies.
- Ensuring that the University takes full advantage of open access publishing discounts and agreements.
- Providing support and guidance.

### **1.3.3 The University is responsible for:**

- Providing financial support to publish open access including the APC budget that the Library administers.

### **1.3.4 Research and Innovation (R&I) are responsible for:**

- Monitoring compliance with funder mandates.

## **Policy**

## **2. Retaining intellectual property rights**

### **2.1 Rights retention statement**

Upon acceptance of publication, each researcher grants the University a non-exclusive, irrevocable, worldwide licence to make manuscripts of their scholarly articles publicly available in the institutional repository under the terms of a Creative Commons Attribution (CC BY) licence.

To do this, each in-scope work submitted for publication must include the following text in the acknowledgement section of the manuscript and/or any cover letter/note accompanying the initial submission:

**“For the purpose of open access, the author(s) has applied a Creative Commons Attribution (CC BY) licence to any Author Accepted Manuscript version arising from this submission.”**

Alternative wording with the same intended outcome can be used instead, if required by the relevant funder.

For more information see the institutional Intellectual Property Policy

<https://mmuintranet.mmu.ac.uk/Interact/Pages/Content/Document.aspx?id=2608&Se archId=4921274>

## 2.2 Outputs in scope of rights retention

The licence applies to journal articles authored, or co-authored, while a person is a staff member or student at Manchester Metropolitan University.

Where an in-scope output has been co-authored by another institution, the staff member will make a reasonable attempt to obtain a licence from all the co-authors on the same terms as the licence granted under this policy. This does not apply if the co-authors are employed by institutions that have adopted a policy granting the same rights.

This does not apply to any articles submitted before the adoption of this policy [01/01/2024].

## 2.3 Outputs out of scope of rights retention

The policy does not apply to monographs\*, scholarly editions, textbooks, book chapters, collections of essays, datasets, or other outputs that are not scholarly articles. However, the University strongly encourages researchers to make them as openly available as possible with a suitable Creative Commons licence. Further support and guidance are available from the Library via [rsl@mmu.ac.uk](mailto:rsl@mmu.ac.uk).

\* Except UKRI funded monographs and book chapters published from 1 January 2024. New open access requirements for longform outputs are required for this funder. See <https://www.ukri.org/publications/ukri-open-access-policy/uk-research-and-innovation-open-access-policy/>

## 2.4 Opting out of retaining rights

This policy applies to all in-scope outputs submitted for publication from [01/01/2024].

However, in exceptional circumstances it is permissible for staff to opt out of the requirement for immediate open access upon publication, or the assignment of a CC-BY licence.

**This action may cause the research output to be non-compliant with funder policies.**

Where a researcher wishes to opt out of the requirement for immediate open access upon publication, they should complete the rights retention waiver form prior to submission of the work for publication, providing a clear rationale based on the reasons listed above.

Any such request will be reasonably considered by the Library (in consultation with Faculty research leads where necessary) on behalf of the University but will be granted only in exceptional circumstances, and will not be granted where to do so would put the University (or the relevant researcher) in breach of a funder requirement.

## 3.0 Open Access publishing and deposit

Whether researchers follow either the Green route or the Gold route to open access they must retain their rights, and comply with funder and publisher requirements when choosing the appropriate route.

All accepted manuscripts of research outputs must be deposited into the institutional repository, via Symplectic if appropriate, immediately after they are accepted for publication.

For further guidance, see the institutional Open Access Policy

<https://www.mmu.ac.uk/sites/default/files/2022-06/OA-Policy-2022.pdf>

## **4.0 Additional researcher requirements**

### **4.1 Affiliation**

All publications should acknowledge affiliation to the University using a standardised institutional affiliation “Manchester Metropolitan University” in all research outputs and an institutional email address. If required, the standard Manchester Metropolitan University address should be used:

Manchester Metropolitan University

All Saints Building

Manchester

M15 6BH

United Kingdom

### **4.2 ORCID**

Researchers must claim, create, and populate their ORCID record and link it to their institutional Symplectic account – contact [rsi@mmu.ac.uk](mailto:rsi@mmu.ac.uk) for support. They must then ensure their research outputs and any research profiles also use their ORCID.

### **4.3 Data access statement**

Researchers must include a Data Access Statement in all research outputs even where there are no data associated with the publication or the data are inaccessible. The statement informs readers where the associated underlying research materials are available and how they can be accessed.

For more information on research data management, see the Research Data Management policy <https://www.mmu.ac.uk/sites/default/files/2023-07/RDM-Policy-2022.pdf>

### **4.4 Grant information**

Authors must acknowledge the source of grant funding associated with a research output in all research outputs.

## **5.0 Associated policies and guidance**

Intellectual Property policy

<https://mmuintranet.mmu.ac.uk/Interact/Pages/Content/Document.aspx?id=2608&Se archId=4921274>

Open Access policy <https://www.mmu.ac.uk/sites/default/files/2022-06/OA-Policy-2022.pdf>

Research Data Management policy <https://www.mmu.ac.uk/sites/default/files/2023-07/RDM-Policy-2022.pdf>

UKRI open access policy <https://www.ukri.org/publications/ukri-open-access-policy/uk-research-and-innovation-open-access-policy/>

Library research support and guidance <https://www.mmu.ac.uk/library/research-support>

Creative Commons licences <https://creativecommons.org/share-your-work/cclicenses/>

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