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| Policy name | Open access publications policy with rights retention |
| Subjects | Open Access; Rights Retention; IP and Copyright; REF; Publishing; RIS; Publications Repository |
| Approving authority | Senate via University Research and Knowledge Exchange Committee |
| Accountable person | Susan Ackermann, Director of Libraries |
| Responsible Team | UoN Libraries |
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1. Introductory Purpose and Background

1.1 The University of Nottingham values openness, championing the free exchange of ideas. Open Access (OA) makes research outputs more readily available in the public domain, increasing the potential for engagement, citation and reuse.

1.2 Concurrently with the University's exercise of rights consistent with IP ownership, Creator(s) of scholarly texts are permitted to control those rights in accordance with standard academic practice to publish in the venue of their choice, sign publication agreements and retain any income arising from publication of such works.

Traditionally, authors sign, or transfer, copyright to publishers or grant the publisher an exclusive licence to publish. This can limit how their work is used, for example, it may prevent an author from sharing their accepted manuscript in an institutional or subject repository or impose an embargo. As a result, many scholarly texts that have arisen from the University are contractually owned and / or controlled by publishers, while authors retain few or no rights over how their work may be reused.

1.3 This practice is contrary to the principles of open research adopted by funders including UKRI, Wellcome Trust, NIHR and Horizon Europe. These funders and others have open access policies which mandate for immediate open access, with certain types of research output licensed under terms that enable broad reuse so long as attribution is given to the creator.

1.4 OA has been a fundamental requirement for the Research Excellence Framework (REF) since 2016. The REF Open Access policy effective from 1 January 2026 is a further extension of its commitment to open research. It recommends institutions fully consider, as part of creating a healthy research environment, the extent to which their researchers currently retain or transfer the copyright of scholarly works.¹

1.5 This document aligns with funder requirements by committing the University to an institutional position on rights retention to achieve the same goals, making scholarly texts more readily available to the public while minimising burden and risk upon authors.

2 Scope

2.1 Who it applies to. The policy applies to all staff and research students at the University who author or co-author scholarly texts with a University of Nottingham UK affiliation ('authors').

2.2 Other members of the University community, such as taught course students, research fellows not employed by the University and people holding honorary University appointments may wish to opt in to this policy.

2.3 What it applies to. The policy applies to scholarly texts associated with the University and submitted for publication from the date of approval of this policy. The institutional rights retention element of the Policy (4.2.1 and 4.2.2) is exclusively relevant to accepted manuscripts (AM) in academic journals and conference proceedings.

2.4 What it does not apply to. The policy does not apply to postgraduate examined theses, or the describing statements submitted for the Research Degree by Published Works. Whilst the institutional rights retention element of the policy (4.2.1 and 4.2.2) only applies to AMs in academic journals and conference proceedings, authors may opt-in other formats of scholarly text providing they have retained sufficient rights to do so.

2.5 Where a scholarly text contains third-party content, such content should only be made open access if the relevant permissions have been obtained, or under a legal exception, in accordance with the University Intellectual Property (IP) Policy.

2.6 The policy does not place any obligation on anyone at the University to generate or publish additional research outputs.

3 Definitions, for the purpose of this policy

3.1 Accepted manuscript (AM): the author-created version of a scholarly text incorporating peer-review and/or editorial comments as accepted for publication. Sometimes referred to as the author accepted manuscript (AAM), the near final version or postprint.

3.2 Author rights retention: Authors retain sufficient rights to their scholarly text to make the AM open access under a Creative Commons (CC BY) licence, or other suitably permissive licence of the author's choosing. Authors would need to issue publishers with prior notification of this use of the AM.

3.3 Copyright: the legal rights that creators have over their literary and artistic works to prevent others from using, copying, adapting those works without permission.

3.3 Creative Commons is a non-profit organisation that has developed a set of licences, which are based on and work with copyright laws. These licences act as a free, simple, and standardised way for copyright owners to grant permissions for creative and academic works enabling others to copy, distribute, and make use of those works while ensuring proper attribution is given to the author(s).

3.4 Creative Commons CC-BY (Attribution) is a specific Creative Commons licence. This license enables end-users to distribute, remix, adapt, and build upon the material in any medium or format, so long as attribution is given to the creator. The license allows for commercial use.

3.4 Institutional rights retention (IRR): An automatic licence is granted by the author to their institution to publish their AM open access via the institutional repository² under a CC-BY (Attribution) licence, or other suitably permissive licence of the author's choosing. This automatic grant of licence ensures that the institution can act on behalf of authors to issue publishers with prior notification of this action.

3.5 Licence: A licence is a contractual agreement between the copyright owner and user which sets out what the user can do with a work. Any licence agreed can relate to one or more of the rights granted by copyright and can also be limited in time or any other way.

3.5 Open access (based on the UNESCO definition): access to information, allowing it to be downloaded, distributed, printed and searched without financial, legal, technical barriers to lawful reuse.

3.6 Version of Record (VoR): The final version of the manuscript accepted by the publisher including all the amendments added by the publisher after the peer review (e.g. copyediting, online and print formatting).

4 Policy

4.1 Key Principles

4.1.1 This policy sets out the process whereby authors can make their scholarly texts open access under a CC-BY (Attribution) licence, or other suitably permissive licence of their choosing.

4.1.2 This policy is designed for the University to operate fair, inclusive, transparent and straightforward procedures, principles which align with the Concordat to Support Research Integrity and the Concordat to Support Career Development of Researchers.

4.1.3 This policy does not extend to other intellectual property rights in research, which are already covered by the University IP Policies.³

4.1.4 Provided the requirements of this policy have been properly followed, the University will fully support its staff to achieve open access under its terms.

4.2 Key roles, responsibilities and/or requirements

4.2.1 Institutional rights retention: From the date of approval of this policy, each University of Nottingham UK author automatically grants the University a non-exclusive, irrevocable, sublicensable, worldwide licence to electronically distribute their AM open access in the University of Nottingham publications repository under a CC-BY (Attribution), or another suitably permissive licence of the author's choosing.

4.2.2 Institutional rights retention: To help ensure the validity of licences, the University will give prior notice to publishers in the form of a letter with words to the effect of section 4.2.1.

4.2.3 Libraries will aim to provide prior notification to all publishers of academic journals and conference proceedings where there is evidence of publishing affiliated to the University of Nottingham. A list of notified publishers will be made available to authors with a University of Nottingham IT account, alongside guidance if their publisher of choice is not on the list.

4.2.4 Authors may opt-in to institutional rights retention for scholarly texts that are not an academic journal or conference proceeding. To do this the author will need to give their own prior notice when submitting work to publishers. For recommended wording, see 4.2.5.

4.2.5 Author rights retention: For the purpose of open access, the author has applied a CC-BY (Attribution) licence to any Accepted Manuscript version arising.

4.2.6 On acceptance for publication, a University of Nottingham author will supply an electronic copy of the AM of their journal article or conference proceeding to the University's Research Information System (RIS).

4.2.7 After the AM has been deposited in RIS, Libraries will review and publish a metadata-only record via the University of Nottingham Publications Repository.

4.2.8 Immediately upon the date of first (usually online) publication of the Version of Record, the full text of the AM will be published via the University of Nottingham Publications Repository with a CC-BY (Attribution) licence, or another suitably permissive licence of the author's choosing.

4.2.9 Associate Pro Vice Chancellors for Research and Knowledge Exchange, Directors of Research and Knowledge Exchange, or their nominated representatives are responsible for promoting awareness of and compliance with the Policy in their Faculty. They shall also be responsible for contacting the authors with a pattern of repeated or extensive opt-outs to find a solution to help them comply with the policy.

4.3 Component elements/specifics

4.3.1 The University recognises situations that may make it challenging for authors to comply with this policy fully. For example, if the AM is not retrievable or if the AM is licensed openly in a repository outside of UoN.

4.3.2 Where an author wishes to opt out of using RIS to meet the requirements of the policy, they must contact openaccess@nottingham.ac.uk no later than the date of publication. They must provide key details of their scholarly text, for example the title of the text and the publication venue, and the reason for seeking to opt out from using RIS.

4.3.3 In cases where the AM is licensed openly in a repository outside of UoN the author must have a discoverable record of the scholarly text in RIS with publicly

available metadata as a minimum, and a link to where the AM is publicly available elsewhere. For example, the institutional repository of a co-author, a funder or a subject-based repository within the academic discipline.

4.3.4 Any opt-out request will not be granted if doing so would put the University, or the author, in breach of an agreement with a funder.

4.4 The consequences of non-compliance

4.4.1 Where an author opts-out from using RIS to meet the requirements of the policy, including if they do not adhere to 4.3.3 there will be one or multiple consequences, including but not limited to the following –

4.4.2 An invoice levied by a publisher to cover open access costs, known as license fees or article processing or development charges. Funding for these article-based charges are not guaranteed to be met by the University or research funders.

4.4.3 The scholarly text will not have a discoverable record of its existence in RIS and may not be considered as part of UoN academic promotions and performance decisions.

4.4.4 The scholarly text may be non-compliant with the requirements of their funder.

4.4.5 The scholarly text may be ineligible for submission to the Research Excellence Framework (REF).

4.5 How compliance with the policy will be measured

4.5.1 Compliance will be measured at an institutional level during REF planning and auditing exercises and funder assurance visits. Libraries will measure compliance at institutional level to monitor performance of the repository service and complete relevant returns for the sector, for example for JISC and SCONUL, the professional association for academic and research libraries in the UK and Ireland.

4.5.2 Compliance at an individual author level will be measured during periods where RIS data is required for central purposes, for example, performance reviews, development conversations or planning a REF return.

4.5.2 Where a pattern of repeated or extensive opt-outs is evident. Associate Pro Vice Chancellors for Research and Knowledge Exchange, Directors of Research and Knowledge Exchange, or their nominated representatives, shall be informed.

4.6 Provisions for monitoring and reporting related to this policy

4.6.1 Provisions for monitoring compliance will be pragmatic and proportionate. Outcomes from 4.3.2 and 4.3.3 shall be recorded centrally. Where a scholarly text is in-scope but not open access in-line with the policy requirements it will be automatically recorded as not-compliant within the RIS record.

5 Review

5.1 The process for reviewing this policy will be aligned with related University IP policy and amendments made as and when required in relation to that review.

6 Related policies, procedures, standards and guidance

6.1 Intellectual Property Rights and Copyright Policy, available from the [University of Nottingham Policy Finder](#).

6.2 Intellectual Property Rights and Copyright Policy Equality Impact Assessment, available from the [University of Nottingham EIA SharePoint site](#).

6.3 University of Nottingham Code of Research Conduct and Research Ethics, available from the [University of Nottingham Policy Finder](#).

6.4 Guidance on University and research funder open access policies, available from [University of Nottingham Libraries - Open access policies](#).

6.5 University of Nottingham Research Information System deposit licence and guidance, available from [University of Nottingham Libraries - Depositing your research output](#).