

Open Access Policy

1. Purpose

- 1.1 UTS is committed to delivering public good and broad societal benefit. To meet this commitment, the university supports the principles of open access as part of its strategy of producing high-quality research and education with community and global impact.
- 1.2 The Open Access Policy (the policy) aims to ensure that UTS research outputs and scholarly works undertaken at UTS are available online, worldwide and free of charge, supporting the principles of an international open access research community wherever this achieves the greatest impact.

2. Scope

- 2.1 This policy applies to:
 - all staff, students and affiliates (collectively 'authors')
 - scholarly works (including educational materials) and research outputs created independently or collaboratively, and
 - open educational resources (refer [UTS Library: Open Educational Resources and definitions](#)).
- 2.2 This policy does not apply to:
 - any output completed before the adoption of open access policies and principles at UTS
 - any published output for which the author has entered into an incompatible licencing or assignment agreement (in line with UTS approval requirements)
 - scholarly or research material subject to intellectual property (IP) or copyright protection and commercialisation (refer [Intellectual Property Policy](#))
 - scholarly or research material subject to commercialisation agreements (refer [Commercial Activities Policy](#)).

3. Principles

- 3.1 UTS recognises that there are a variety of mechanisms towards impactful research and research translation including, but not limited to, publishing, commercialisation and intellectual property protection. Wherever possible, and where it achieves the greatest impact, UTS:
 - aims to share its research and scholarship as widely as possible, enabling open, equitable, worldwide access, and

- encourages authors to provide open access to their research data in line with the [Australian Code for the Responsible Conduct of Research](#) (the Australian Code), while acknowledging their right to first use.
- 3.2 UTS will provide open publishing platforms and repositories to facilitate open access as well as guidance and support to the UTS community in implementing this policy.
 - 3.3 Open education at UTS encompasses resources, tools and practices that are free of legal, financial and technical barriers and can be fully used, shared and adapted in the digital environment. Open education maximises opportunities to make education more affordable, accessible and effective.
 - 3.4 The [Intellectual Property Policy](#) contains provisions on the ownership of intellectual property created by staff which supports the principles of open access while acknowledging that there are other paths to achieve impact that may be more appropriate to the substance of the output.
 - 3.5 UTS subscribes to [the FAIR Guiding Principles for scientific data management](#) and stewardship, which provide guidance on increasing the reuse of research data. Further information on the management and distribution of research data is available in the [Research Data Management Procedures](#) (PDF).

4. Policy statements

- 4.1 Open access describes scholarly and scientific material that is openly and freely accessible to anyone regardless of their ability to pay. The UTS Library is responsible for providing guidance and advice on UTS's open access requirements.
- 4.2 UTS recognises that, in addition to the public benefits of open access, this policy:
 - widens engagement with scholarship
 - potentially broadens the impact of research outputs and scholarly works
 - meets the needs of funding bodies (for example the [Australian Research Council](#) (ARC) and the [National Health and Medical Research Council](#) (NHMRC))
 - simplifies the authors' retention of distribution rights
 - aids preservation.

Open education resources

- 4.3 Authors must ensure that they have the necessary rights to publish open education resources. Where possible resources should be published under an open licence (preferably a [Creative Commons By licence](#) (CC BY licence)) and attribute UTS accordingly.
- 4.4 Where multiple authors exist, clear agreement should be made regarding the intent to publish in line with the ownership rights outlined in the [Intellectual Property Policy](#).
- 4.5 When publishing educational materials, UTS strongly recommends publication via an appropriate discipline repository or website to ensure discovery and use.

UTS research outputs, access and restrictions

- 4.6 A record of research outputs and research data (hereafter outputs) will be collected and stored in the UTS digital repository and UTS data catalogue in line with the relevant guidelines published on the [UTS Library: Publishing services](#). Responsibilities for information systems stewardship can be found in the [Data Governance Policy](#).
- 4.7 Outputs will not be altered except as permitted or required under law to:
- reproduce, electronically communicate and distribute the open access copy, including any open access copies of the published version of the specified work online
 - make copies of the work for the purposes of security, backup and preservation
 - ensure copyright compliance is achieved.
- 4.8 Where possible, publication agreements should enable open access and compliance with this policy.
- 4.9 The accepted manuscripts/scholarly works must be deposited in the digital repository.
- 4.10 Levels of access are provided as follows.
- Accepted manuscripts/scholarly works are open access except where the publisher explicitly does not permit open access.
 - Published versions are open access with agreement from the publisher.
 - Where open access is restricted (by a publisher embargo or other conditions), the output is archived in the repository without open access for the period of the embargo or other restriction. An abstract or link to the external approved publication of the output may be added to the repository.

Funding bodies and external obligations

- 4.11 Funding bodies or research clients may include open access stipulations in their contracts. Authors must ensure compliance with these contracts (refer [Research Policy](#)). Issues of confidentiality are managed in line with the [Intellectual Property Policy and associated procedures](#).
- 4.12 Research projects funded by the [ARC](#) and [NHMRC](#) must, within 12 months or the period agreed in the research contract be made:
- open access via a digital repository, and/or
 - open access via another platform.
- 4.13 Authors undertaking research at UTS must follow the requirements of the [Research Data Management Procedures](#) (PDF) which provide guidance on both access and rights with regard to research data in line with [the Australian Code](#).
- 4.14 When publishing educational materials under research contracts or other external funding agreements, these should be published as per the requirements outlined in the agreement and in alignment with the [Intellectual Property Policy](#).

Access to Indigenous knowledge

- 4.15 Research and scholarly activities that involve the traditional interests or property of Indigenous peoples and/or the use of traditional knowledge must be managed in line with the requirements of [Indigenous Policy](#).
- 4.16 The [Indigenous Policy](#), supported by the requirements of the [Intellectual Property Policy](#), outlines UTS's commitment to the rights of Indigenous people.

Open access and intellectual property

- 4.17 The [Intellectual Property Policy](#) articulates UTS's rights to a perpetual, irrevocable, royalty-free, non-exclusive licence to use (and therefore reproduce and distribute) research outputs and/or scholarly works through an institutional repository.
- 4.18 Limitations for different categories of UTS-generated intellectual property are specified in the [Intellectual Property Policy](#), exempting certain works and outputs from the requirements of this policy.

Open access and copyright

- 4.19 Copyright remains with the author and/or, where stipulated in a publisher agreement, the publisher. Depositing outputs in a repository does not transfer copyright to the repository.
- 4.20 It is recommended that authors, in signing a publisher agreement:
- retain copyright in their works where possible, or
 - publish under an open license (preferably a [CC BY licence](#) in line with the creative commons framework) and ensure they retain the right to use and self-archive without embargo.

Exceptions and breaches

- 4.21 Breaches of this policy or any associated procedures will be managed in line with the [Code of Conduct](#), [Graduate Research and Supervision Policy](#) and [section 11, Student Rules](#) or the guidelines for research integrity breaches (available at [Research governance](#) (Staff Connect)), depending on the nature and circumstances of the breach.
- 4.22 Exceptions to this policy may be requested where appropriate justification can be made. These must be made in writing to the University Librarian at [UTS Library: Contact us](#) for endorsement. The University Librarian will forward requests, along with their recommendation for approval as follows (in line with the [Intellectual Property Policy](#)):
- the Director, Research Office for research matters
 - the Pro Vice-Chancellor (Education) for teaching and learning and student matters, and
 - the Dean, Graduate Research School for graduate research related matters.

5. Policy ownership and support

5.1 **Policy owner:** The Deputy Vice-Chancellor (Research) is responsible for policy enforcement and compliance, ensuring that its principles and statements are observed. The Deputy Vice-Chancellor (Research) is also responsible for the approval of any associated university-level procedures.

5.2 **Policy contact:** The University Librarian is responsible for the day-to-day implementation of this policy, acts as a primary point of contact for advice on fulfilling its provisions.

5.3 Others:

Staff, students and affiliates (collectively 'authors') are responsible for applying the principles and statements of this policy to scholarly works and research outputs.

6. Definitions

The following definitions apply for this policy. These are in addition to the definitions outlined in [Schedule 1, Student Rules](#).

Accepted manuscript means the final peer reviewed and corrected version of an article or research paper or work. The text is the same as the published version but without the formatting.

Clients is defined in the [Research Policy](#).

Copyright means all rights conferred by the [Copyright Act 1968 \(Cwlth\)](#) as amended or substituted in relation to, without limitation, literary works, dramatic works, musical works, artistic works, films, sound recordings, broadcasts, published editions and certain types of performances.

Creative commons framework means the licenses under the non-profit organisation that facilitates the sharing of knowledge and creativity. These licences normally allow individuals to use, distribute and adapt the work of others while crediting the original creation/creator. These are recommended to enhance collaboration for maximum dissemination and use of licensed materials and are in line with the UK [Plan S](#) requirements.

Digital repository refers to a scholarly digital storage system for the publication of research outputs and scholarly works (for example OPUS).

Information systems steward is defined in the [Data Governance Policy](#).

Intellectual property is defined in the [Intellectual Property Policy](#).

Open access means free and unrestricted (electronic) access to UTS conducted research outputs and other scholarly works.

Open educational resources (also referred to as **OERs**) mean free, openly licensed online teaching and learning materials. These materials are either in the public domain or have been offered under creative commons licenses that allow for their wider use.

Research contract is defined in the [Research Policy](#).

Research data is defined in the [Research Policy](#).

Research outputs are defined in the [Research Policy](#).

Published version (also **version of record**) means the publisher's PDF of an article or research paper or work, which has been copy-edited and formatted for publication.

Scholarly work means work intended for academic publication and may include papers, articles, books, manuscripts, non-traditional research outputs and creative outputs in any format. It can also include course and educational material.

7. Approval information

Policy contact	University Librarian
Approval authority	Academic Board
Review date	2024
File number	UR21/1155
Superseded documents	Open Access Policy (UR12/1272)

Version history

Version	Approved by	Approval date	Effective date	Sections modified
1.0	Academic Board (AB/21-4/67)	29/09/2021	21/10/2021	New policy.

References

UTS documents

[Data Governance Policy](#)

[Indigenous Policy](#)

[Intellectual Property Policy](#)

[Research Data Management Procedures](#) (PDF)

[Research Policy](#)

[UTS 2027 strategy](#)

UTS Library:

- [Contact us](#)
- [Open Access Publishing](#)
- [Open Educational Resources](#)

[UTS Open](#)

[UTS Research Strategy](#)

External documents

[ARC Open Access Policy](#)

[Australian Code for the Responsible Conduct of Research](#)

[Copyright Act 1968 \(Cwlth\)](#)

[Copyright Amendment \(Moral Rights\) Act 2000 \(Cwlth\)](#)

[Creative Commons](#)

[Plan S](#)

[The FAIR Guiding Principles for scientific data management](#)

[NHMRC Policy on the Dissemination of Research Findings](#)