

# Sussex Research Online/ Sussex Figshare:

## take-down procedure

The University of Sussex takes rights management seriously and only makes content available on Sussex Research Online (SRO) and Sussex Figshare in accordance with current UK legislation. To accommodate the possibility that a rights holder may come forward and request the removal of content from SRO, the University has in place the following take-down procedure.

### Rights Owner

If you are a rights owner and are concerned that you have found material on SRO/ Figshare for which you have not given permission, which represents a breach of copyright (use or production of copyright protected material without the permissions of the copyright holder), IP infringement (trademark infringement, patent infringement), defamation, plagiarism, breach of confidence or data protection, or presents a security risk, please contact us in writing or by email stating the following:

1. Your contact details including name, postal address and email address
2. The full bibliographic details of the material
3. The exact and full URL where you found the material
4. A statement confirming that you are the rights owner or are authorised to act for the rights owner and appropriate proof to support this statement
5. The reason you are requesting the removal of the material from SRO

Email: [sro@sussex.ac.uk](mailto:sro@sussex.ac.uk)

Please send to:  
The Librarian  
University of Sussex  
Brighton  
BN1 9QL

### Researchers

If you are a researcher and you are concerned that material held on SRO or Sussex Figshare represents a breach of your rights, an individual's personal safety, or have concerns about the availability of your material, then please follow the instructions above and send to the same address.

In both cases, the take-down policy will be invoked as follows:

1) The Library will acknowledge receipt of your complaint by email (or letter) within 3 working days.

2a) On receipt, the Research and Open Scholarship Open Access Librarian or Research Data Librarian will make an initial assessment of the validity and plausibility of the complaint. If this initial assessment finds that the complaint is invalid then the complainant will be contacted and the material will continue to be available on SRO.

2b) If the initial assessment finds the complaint plausible, then the material will be temporarily removed from SRO pending an agreed solution and the matter will be escalated to the Research and Open Scholarship Senior Manager.

- The Library will then contact the contributor, if possible, who deposited the material and notify them that a complaint has been received. They will be asked to comment on the complaint and provide a response.
- The complainant and the contributor will be encouraged to resolve the issue swiftly and amicably and to the satisfaction of both parties, with the following possible outcomes:
  - a. The material is replaced on SRO unchanged
  - b. The material is replaced on SRO with changes agreed by all interested parties
  - c. The material is permanently removed from SRO for an agreed period of time or, in exceptional circumstances, permanently. In some cases a metadata record may remain on SRO.
- If the contributor and the complainant are unable to agree a solution, the matter will be escalated to the Library Leadership Team and the Librarian will take the decision to either overrule the complainant and reinstate the material on SRO or will uphold the complainant and permanently remove the material from SRO. This may take some time, if it is necessary to seek legal advice to resolve the complaint.

All decisions made by library staff will be recorded and kept in line with retention records in an online drive with restricted access.

[Guidance](#) is available if you would like to appeal the decision.

## Theses

Prior to submitting a take-down request, you may wish to explore an embargo period for your thesis. In exceptional circumstances, embargoes of up to three years can be applied when the work is commercially sensitive, if publication might be jeopardised, or if participant's safety could be compromised by immediate publication online.

All requests for an [embargo](#) should be discussed with your supervisor and shared with the Examinations & Assessment team ( [pgr-exams@sussex.ac.uk](mailto:pgr-exams@sussex.ac.uk)). You can also email [library.researchsupport@sussex.ac.uk](mailto:library.researchsupport@sussex.ac.uk) to discuss this with a member of library staff.

If the complaint is upheld and relates to a thesis. The material will be removed from SRO and if necessary, the British Library will also be informed to remove it from eThos. The University retains the right to hold a print copy of the work centrally.