

REF2029 Exceptions: definitions, use cases & processes

The Open Access policy for REF2029 follows on from that of REF2021 in requiring all in-scope outputs (journal articles & conference proceedings) to be published OA to be eligible for submission.

If an in-scope output is **non-compliant**, we may be able to apply an **exception**. All exceptions will need to be justified and confirmed by the relevant UoA Lead and/or DRaKE/Faculty lead; exceptions will be *applied* on Elements by the Library's SRO team, and the RQI Team may be consulted for advice, but responsibility for evaluating the potential risks to a UoA's submission sits with the UoA.

The University's [Publication & Copyright policy](#) enables authors to comply with the REF2021 & 2029 OA policies by simply depositing the author-accepted manuscript (AAM) within 3 months of acceptance. **The policy applies by virtue of the author's employment at the institution and applies regardless of the chosen venue of publication.** Authors can opt out of this policy if required but this may adversely affect REF OA compliance.

For guidance on deposit & compliance, please see our [Elements Libguide](#) or contact the SRO team at sro@sussex.ac.uk

Below is a list of the REF2029 exceptions and a brief description of actions required for their application; **these come into effect on 1st January 2026**. Please consult with your UoA Lead to agree applicability before contacting the SRO team.

REF2029 Exceptions	Example use case	Primary stakeholders	Author actions	Evidence required	Results
Deposit exceptions					
It would be unlawful to deposit, or request the deposit of, the output or to otherwise make this available.	If there are legal/personal risks to depositing the output and/or making it available; if there are contractual reasons	Author; UoA Lead	To confirm with UoA Lead that the legal issues prevent deposit and outweigh the risk of non-compliance	Written confirmation of the risk/legal reasoning	SRO team apply exception and link to archived record of justification

	why deposit is not permitted				
The publication actively disallows open access deposit in a repository and was the most appropriate publication for the output.	If the chosen venue for publication actively forbids deposit/availability (this applies only if the work was published before the UoS Publications & Copyright Policy came into force (October 2023))	Author; UoA Lead	To confirm with UoA Lead that venue is the most appropriate; to check with publisher if an exception can be made to their policy	Written confirmation of publisher policy (from publisher)	SRO team apply exception and link to archived record of justification; if the output was published after October 2023, the SRO team will investigate policy options
Subject to delay in securing the final peer-reviewed text for deposit – for instance, where a paper has multiple authors.	If the output was not deposited due to evidenced delays e.g. disruptive events, author disagreements, circumstances beyond the control of the author	Author(s); UoA Lead	To confirm with UoA Lead that delay can be thoroughly evidenced	Written confirmation of reasons for delay and UoA Lead sign-off	SRO team apply exception and link to archived record of justification
Access exceptions					
The publication requires an embargo period that exceeds the stated maxima and was the most appropriate publication for the output. Outputs will not need to meet the	If the chosen venue for publication imposes an embargo beyond the stated limits per panel (this applies only if the work was published before the UoS Publications &	Author(s); UoA Lead	To confirm with UoA Lead that venue is most appropriate; to check with publisher if an exception can	Written confirmation of publisher policy (from publisher)	SRO team apply exception and link to archived record of justification; if the output was published after October 2023, the SRO team will

embargo requirements in this case.	Copyright Policy came into force (October 2023))		be made to their policy		investigate policy options
Third-party content was included for which licenses could not be obtained at a reasonable cost. The output will not need to meet access and/or licensing requirements (as relevant) in this case.	If the output contains images or other copyrighted material for which permission could not be obtained/for which fees are prohibitively expensive	Author(s); UoA Lead	To negotiate with copyright holder/publisher on potential reuse	Written confirmation of permissions and/or costs and justification of submission	SRO team apply exception and link to archived record of justification
Technical exceptions					
Output has a demonstrable and substantive connection to the submitting institution but was published following the end of the author's period of employment, and it has not been possible to determine compliance with the criteria.	If an author's published output resulted from research undertaken at the University during a period of employment that has subsequently come to an end. An eligible employment relationship must have occurred, either at the point at which the submitted output was first made publicly available or before the submitted output was first made publicly available, when the	Author(s); UoA Lead; HR/School records office	To provide written evidence confirming the period of employment and substantive connection of the output to the institution	Written confirmation of period of employment from School/HR	SRO team apply exception and link to archived record of employment dates

	research resulting in the output was carried out, in line with the time-limited periods stated in sections 6.4.3 and 6.5.1 of the REF 2029 CKU guidance.				
Outputs were authored in whole by one or more staff who are or were ineligible to be included in the volume measure for REF 2029. The funding bodies have agreed this exception across the publication period for REF 2029 in order to support submission of a wide range of eligible outputs.	If an author is/was NOT on an eligible contract type for inclusion in the volume measure but their outputs are eligible for submission.	Author(s); UoA Lead; HR/School records office	To provide written evidence confirming contract type and reasons for non-eligibility; reasons for inclusion	Written confirmation of contract type from HR (incl. reasons for non-inclusion in the volume measure)	SRO team apply exception and link to archived record of contract type
Other exceptions					
“Other” exception should be used where criteria beyond the control of the higher education institution (HEI) (including but not limited to: personal circumstances of the author, industrial action, closure days and software issues) prevent	If an outlying circumstance prevented either the timely deposit or accessibility of the output e.g. author illness, technical issues, industrial action, or other circumstances not	Author(s); UoA Lead; DRaKE	To provide written evidence describing the circumstances and confirmation from the UoA Lead and DRaKE that they accept the risk of	Written evidence (and associated documents if appropriate) describing the circumstances; confirmation from the UoA Lead and DRaKE that they accept the risk of	SRO team apply exception and link to archived record of justification and acceptance of risk from UoA Lead and DraKE

compliance. If 'other' exception is selected, the output will not need to meet the open access criteria (deposit, discovery or access requirements).	covered by the above exception types.		potential REF audit of the UoA submission	potential REF audit of the UoA submission	
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The processes may be updated to reflect new information. For questions on wider REF policy, contact rqi@sussex.ac.uk; for questions on SRO and on individual items, contact sro@sussex.ac.uk.

Version 1	June 2016
Version 2	August 2016
Version 3	September 2017
Version 4	September 2018
Version 5	January 2025