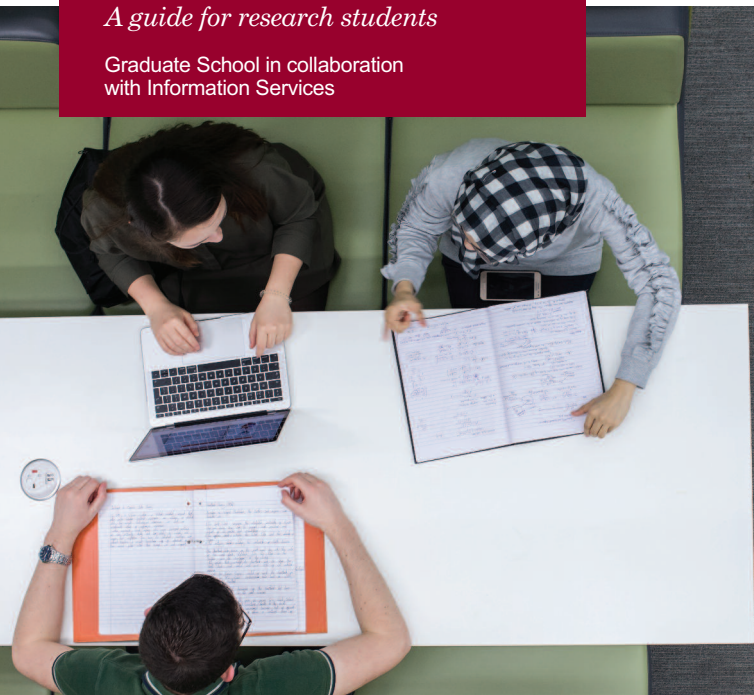


# COPYRIGHT, OPEN ACCESS AND YOUR THESIS

*A guide for research students*

Graduate School in collaboration  
with Information Services



# CONTENTS

<b>Introduction</b>	<b>1</b>
<b>Copyright, Open Access and your thesis</b>	<b>3</b>
Copyright and intellectual property rights for students	3
Making your thesis available to readers	3
What is Open Access?	3
Advantages to making your thesis available in KAR	4
How putting your thesis in KAR affects your copyright	4
Using Creative Commons Licences for your own work	5
What you need to be aware of when making your thesis Open Access	7
What about ‘third party’ content in your thesis?	7
How do you get permissions for copyright material?	8
Using Open Access sources	9
Using works licenced under Creative Commons	11
If you cannot get permission	11
How to redact material from a thesis	12
Using your own published work in your thesis	12
Thesis by publication	14
How to submit your thesis into KAR	15
What happens next?	16
Tips to improve accessibility	16
Where to go for more help	17

# INTRODUCTION

**If you are a research student, it's important to understand why copyright matters. When you undertake original research, you will inevitably use the ideas and work of other people and organisations in your thesis or published article. You need to know what rights apply to your own work, and how you want others to share and re-use the content you create.**

This guide will help you understand:

- how copyright protects the work you produce
- how you can use other people's work without infringing copyright
- when you might need copyright permission and how to obtain this
- how to submit your thesis to the Kent Academic Repository via Moodle.

You need to think about copyright issues from the outset of your research and before you start collecting data and carrying out fieldwork. Copyright issues also overlap with wider ethical issues, such as how you use the data you collect from other people and organisations, and how you get their consent to use their names and ideas.

To use the data you collect from people you need to be clear about what you want to do with the information they give you. For example, if you take photos of people who are clearly identifiable, you should still get their permission if you wish to include the photos in your thesis, even though you own the copyright to the photos. In many disciplines, there are issues of confidentiality and you must keep the data you collect anonymous. If other people supply you with data or information (such as photographs), you need to establish who owns the copyright and get their permission to re-publish it in your thesis.



# COPYRIGHT, OPEN ACCESS AND YOUR THESIS

## Copyright and intellectual property rights for students

Normally, you own the copyright in your thesis as a 'scholarly work'. This means that you own the rights to publish and distribute it, unless you have agreed to transfer or assign copyright to a third party (for example a sponsor).

Sometimes copyright is assigned to universities, or held jointly between a university and the people who study or work there. At the University of Kent, you usually retain copyright in your work unless there has been significant input from University staff. If you are in any doubt about this, you should speak to your supervisor/s or contact Kent Innovation and Enterprise.

Kent Innovation and Enterprise:  
[www.kent.ac.uk/enterprise](http://www.kent.ac.uk/enterprise)

## Making your thesis available to readers

Under University regulations, you must deposit your final thesis in the Kent Academic Repository (KAR). KAR is Kent's Open Access institutional archive, through which your thesis is publicly available, and downloadable. When you deposit your thesis in KAR, a non-exclusive licence grants the university permission to make your thesis available online on an open access basis. You will retain ownership of the copyright of your work, and you can ask for access to be restricted for a period of time.

Kent Academic Repository:  
<http://kar.kent.ac.uk>

## What is Open Access?

Open Access refers to online material that is free at the point of access so anyone can read it without needing to pay.

CONTINUED OVERLEAF

## COPYRIGHT, OPEN ACCESS AND YOUR THESIS (CONT)

Open Access material allows readers to use and share information easily; it has clear re-use rights which tell others what they are allowed to do with it. Making your research Open Access increases the potential audience for your research, while still allowing you to retain rights over your work.

### Advantages to making your thesis available in KAR

There are clear benefits:

- It increases the visibility and reach of your research. Your thesis will appear prominently in search engine results and authoritative online sources. These include the British Library's ETHOS service (<http://ethos.bl.uk>) and DART-Europe E-theses Portal ([www.dart-europe.eu](http://www.dart-europe.eu)). Studies suggest that your research is more likely to be read and cited if it is Open Access
- It provides a stable, long-term URL you can use to promote your work. You can refer potential collaborators, employers and grant providers to your research, and track any citations
- It allows long-term preservation of your research and ensures it is accessible
- It protects you against plagiarism as a reference copy is publicly available
- You can see how often your thesis is downloaded
- You satisfy the Open Access requirements of funding bodies, such as RCUK.

### How putting your thesis in KAR affects your copyright

Anyone who accesses your thesis via KAR has certain rights to re-use material from it for the purposes of non-commercial research or private study. They would need to provide a full citation for your thesis, and not re-use the material in a way that may breach copyright or other intellectual property rights. You may decide to provide users with broader rights to re-use your work in the interests of furthering research.

## Using Creative Commons Licences for your own work

Creative Commons is an internationally recognised way of licensing material to encourage sharing and re-use, while protecting the rights of the creators of work, by reserving only some of the rights provided by copyright law and making the creators intentions clear. For example, under a Creative Commons Attribution Non-Commercial-No Derivatives (CC-BY-NC-ND) licence the creator indicates

their consent for the work (eg an image, a video, or a piece of text) to be re-distributed in any format (online or in print) so long as the reuse is not for commercial purposes, the work is used unchanged as a whole and authorship of the original work is credited. Creative Commons licenses are in contrast to the 'all rights reserved' position of copyright, which is the default position if no licence is specified. 'All rights reserved' restricts all potential uses of the work under copyright law.



CONTINUED OVERLEAF

## COPYRIGHT, OPEN ACCESS AND YOUR THESIS (CONT)

You may wish to use a Creative Commons licence in relation to your thesis to indicate that you are happy for others to use it. The licence you choose will remove any doubts about how others can use your work. For instance, Creative Commons Attribution (CC-BY) allows any use as long as credit is given. This means that commercial companies can use your work to help develop their products. You will not receive a financial reward but you will be credited and the commercial developer will be more able to use

your contribution. This will help raise your academic profile and may lead to other collaborative partnerships. On the other hand, Creative Commons Attribution Non-Commercial (CC-BY-NC) means that the company will have to get in touch to use your work. This may put them off but may also allow you more input to the development process.

You can find out more about the licences at [www.kent.ac.uk/library/research/open-access/copyright.html](http://www.kent.ac.uk/library/research/open-access/copyright.html)





## What you need to be aware of when making your thesis Open Access

When you make your thesis available in KAR, the full text of your thesis will be available over the internet.

Depositing your thesis in KAR is not the same as publishing it, and your thesis will still be 'prior publication'. Most publishers allow you to make your thesis available online in this way, so it is unlikely to affect your ability to publish your research in the future, through academic journals, or as a monograph.

But some publishers take a stricter view of what constitutes publication. If you agree to publish your thesis content within another publication, a publisher may ask you to restrict public access to your thesis for a defined period. You can use an embargo in KAR if a publisher asks you to do this.

## What about 'third party' content in your thesis?

You may want to include third party content in your thesis. This is copyright-protected material created by others, and might include:

- quotations or data from other sources
- images, charts or graphs.

You may need permission to use substantial amounts of this content in your thesis and in any subsequent publications, unless there is a clear statement on the work saying it can be re-used. You will need to apply an element of judgment over this, and decide whether your use of third party content without permission falls under an exception to UK copyright law and whether it qualifies as 'fair dealing'. If the content falls under an exception, you may decide it is 'fair' to use it.

For example, you might want to use a reproduction of a single screenshot from a large website, or the use of a low-resolution version of an image for the purposes of quotation, criticism and review.

**CONTINUED OVERLEAF**

## COPYRIGHT, OPEN ACCESS AND YOUR THESIS (CONT)

You will need to make your decision to use third party content on a case-by-case basis. If you decide it is not appropriate or necessary to get permission, and wish to rely on a copyright exception, then you may want to seek further advice: get in touch with one of the contacts listed at the end of this guide.

You can find more information at [www.kent.ac.uk/copyright](http://www.kent.ac.uk/copyright) and from the CopyrightUser website: <http://copyrightuser.org/topics/quotation>

### How do you get permissions for copyright material?

To get permission to use copyright material, you need to identify who owns the work. This often means identifying the author, photographer or publisher.

- Many websites now have a section about copyright (or terms and conditions of use) for web-based material
- To get permissions for published books and journals content, you may find contact details from PLS Clear ([www.plsclear.com](http://www.plsclear.com)). You need to think about how you will use the material. If you are asked to pay to use it, this may not be appropriate for the types of use you are making of the material
- You need to be exact about the material you wish to use. Include page numbers where possible. Let the rights owner know that your thesis will be available in KAR
- If the works you wish to use have been made available on an open access basis or, if they carry a Creative Commons licence, then you may not need to apply for special permission.

It takes time to get copyright permission from individual copyright holders. Some may be slow to respond, or never respond to your request. Do not assume that, if a rights owner does not respond, you can use their work.

Allow enough time to get permission: it is always better to ask for permission early on. Permissions may carry a cost, particularly if you want to publish the thesis at a later stage.

For more help and advice in establishing who owns the copyright of a work and securing copyright permissions, contact [copyright@kent.ac.uk](mailto:copyright@kent.ac.uk)

## Using Open Access sources

An increasing number of educational resources are available on an 'open' basis. This means that you can use them in your work without permission but you must check the terms, or licence, under which the materials are made available. If you use the work, you must always properly attribute it to the creator of the work and copyright owner.



CONTINUED OVERLEAF



# COPYRIGHT, OPEN ACCESS AND YOUR THESIS (CONT)

You must use a full reference, even if the work is in the public domain and free from any copyright protection because copyright has expired or because the owner has given up any rights.

## Using works licenced under Creative Commons

If you wish to use work licensed under Creative Commons in your thesis, you must credit the original author and check you are complying with all the conditions of the licence. You can find out more about the licences at [www.kent.ac.uk/library/research/open-access/copyright.html](http://www.kent.ac.uk/library/research/open-access/copyright.html) where there is an explanation of the meanings of the various Creative Commons terms.

You can search for material licensed under different types of Creative Commons licenses at <http://search.creativecommons.org>

## If you cannot get permission

You must always take reasonable steps to obtain permission. If you cannot gain permission to include material protected by copyright in your thesis, and the use is not covered by 'fair dealing' exceptions, you will need to submit two electronic versions to KAR:

- 1 A full and final version of your thesis, which will **not** be publicly available
- 2 An amended version from which you have removed, or 'redacted' third party copyright material. This amended version will be made publicly available.

You may still be able to make the full and unamended version of your thesis publicly available in KAR.

## COPYRIGHT, OPEN ACCESS AND YOUR THESIS (CONT)

If you have made reasonable efforts to contact the copyright owner, and have discussed the risks of including any third party content with the Copyright Support Service (copyright@kent.ac.uk), you can submit your thesis to KAR and make use of our takedown policy if contacted by copyright holders. In the event of notice from a copyright holder, the takedown policy applies and removes access to any allegedly infringing content in KAR while the matter is investigated.

### How to redact material from a thesis



Redaction means removing information from your thesis that you do not wish to make publicly available. You can block out individual sentences or paragraphs or remove images or sections from one copy of your thesis before you make it available in KAR.

To redact images or large sections, delete them and replace with the words [INFORMATION REDACTED] or [IMAGE REDACTED].

Do not delete the reference to the content you have removed.

To redact smaller sections place black rectangles over words or sentences by drawing long squares over the removed text areas and colouring them solid black. Delete the text underneath the black squares. For example:

Sentence without words redacted:  
the black cat sat on the mat

Sentence with words redacted:  
the  cat sat on the 

### Using your own published work in your thesis

You may want to include your own work, such as a published article, in your thesis. If you are submitting a thesis by publication, it will include articles that you have already published in journals or books. Although the material is your own work, there are things you need to be aware of through the publication process.

Publishers will often request that you transfer copyright, or assign an exclusive right to publish, in the form of a Copyright Transfer Agreement or Contributor's agreement. This affects whether and how you are allowed to reproduce or make your work available.

While most publishers allow you to retain the rights to distribute the final version of your published work following peer-review, there can be conditions on this re-use.

If you plan to use your own published work in your thesis, discuss this with your publisher as soon as the work is accepted for publication.

You can also check the publisher's policies on copyright and self-archiving from the Sherpa Romeo website ([www.sherpa.ac.uk/romeo](http://www.sherpa.ac.uk/romeo)).



CONTINUED OVERLEAF

## COPYRIGHT, OPEN ACCESS AND YOUR THESIS (CONT)

### Thesis by publication

A thesis by publication will include three main parts:

- 1 The narrative which is new writing created specifically for the PhD
- 2 A bibliographic list of the publications contributing to the award
- 3 Copies of the publications themselves

You should upload the narrative and the bibliographic list to KAR via Moodle but record the publications themselves on KAR separately as works in their own right. This will provide a KAR URL for each of your publications which should be added to the relevant entry in your bibliography. Where possible, you should make a version of the full text of the work available in KAR.





For more information about depositing your works on KAR and which versions of your work you can use see the KAR website ([www.kent.ac.uk/library/research/kar](http://www.kent.ac.uk/library/research/kar)).

## How to submit your thesis into KAR

After you have completed your viva examination and made any revisions requested by your examiners, you need to submit your thesis via your School's Moodle page. You will get a letter from your School with the link to the Moodle module you use to upload your thesis to KAR.

You will need to decide from the following options:

- 1 Do you need to submit an amended, redacted version of your thesis as well as the full version? See 'How to redact material from your thesis section' above
- 2 Do you wish to apply an embargo and restrict public access to your thesis for a one year or three year period while you complete or pursue a publishing contract? See 'What you need to be aware of when making your thesis Open Access' section above
- 3 Does your thesis contain extensive material of a sensitive or confidential nature? You may decide it cannot be publicly available, and you should discuss your decision with your supervisor/s and Director of Graduate Studies. If agreed, you will need to download a form from the Moodle thesis deposit module and obtain the necessary signatures. If you are unable to reach agreement with your supervisor/s or Director of Graduate Studies this will need to be raised with the Faculty Associate Dean (Graduate Studies).

# COPYRIGHT, OPEN ACCESS AND YOUR THESIS (CONT)

## What happens next?

Once you have added the details about your thesis to the Moodle module, made your choices and uploaded the full text, select the 'Submit to School Administrator' button. Your School's Administrator will check the details and transfer your thesis to KAR.

Please contact [researchsupport@kent.ac.uk](mailto:researchsupport@kent.ac.uk) if:

- your thesis has not appeared in KAR within 5 working days
- you have any accompanying files to upload; or
- you wish to change an embargo.

## Tips to improve accessibility

Maximise your audience by making your document as accessible as possible. The following steps will help to ensure that people can read your work and benefit from your research:

- Ensure text can be selected (highlighted and added to clipboard) for use with text to speech tools

- Use heading styles to create clear document structure
- Use Plain English
- Use meaningful hyperlinks
- Keep the layout simple and clear – minimum font size 12, left-aligned, pages numbered (where appropriate)
- Use recognised rather than 'unofficial' formatting when making lists (eg standard formatting bullet points and numbered lists rather than spaces, dashes)
- Use non-serif fonts (eg Helvetica, Arial)
- Make sure key pictures, charts, and diagrams have alternative text descriptions where appropriate
- Give preference to multimedia that has captions, transcripts and/or audio descriptions
- Use the Microsoft Office Accessibility Checker
- When exporting documents to PDF follow accessible PDF guidance.

You can find further information at [www.kent.ac.uk/studentsupport/accessibility/accessible-resources.html](http://www.kent.ac.uk/studentsupport/accessibility/accessible-resources.html)

## Where to go for more help

If you need more advice on the copyright or licensing implications of your postgraduate research, please contact [copyright@kent.ac.uk](mailto:copyright@kent.ac.uk) or [researchsupport@kent.ac.uk](mailto:researchsupport@kent.ac.uk). We can help with your questions or arrange further support.

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