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# Rights retention policies

A short explainer on rights retention policies

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There is currently a proliferation of ‘rights retention policies’ being issued by UK higher education institutions (HEIs).

Under a rights retention policy (RRP), an HEI will assert the right of its employees to retain specific rights over their academic publications, regardless of – and overriding – any contractual arrangements that the authors may enter into with academic publishers. While the intention is to secure a guarantee that an author will be able to meet any Open Access (OA) requirement stipulated by a research funder, by enabling OA dissemination through ‘Green OA’ self-archiving in a repository, the effect is that outputs might be made available in ways which conflict with what authors thought had been agreed.<sup>1</sup> Authors should check their own institution’s rights retention policy.

The issuing of RRPs is in line with the [Rights Retention Strategy](#) being pursued by cOAlition S in respect of journal articles.

RRPs might be regarded as simply prior enablers for research funders’ OA mandates for journal articles but, by seeking to cover all possible funder stipulations, their wording may in fact go beyond specific mandate requirements, and thereby themselves actually drive OA policy. For example, they can push the CC BY license, when a funder (e.g. UKRI) may actually allow the possibility of a CC BY-ND exception.<sup>2</sup> Although the new REF OA policy for journals will not require immediate Green OA, there is a question of whether RRPs effectively impose immediate OA in practice. The wording of some institutional RRPs may also be loose enough to potentially cover immediate green OA on longform publications.

Anyone willing to share information on or experiences with RRPs with the Academy should please contact James Rivington, Head of Publishing ([j.rivington@thebritishacademy.ac.uk](mailto:j.rivington@thebritishacademy.ac.uk)) or Joanna Thornborough, Senior Policy Adviser ([j.thornborough@thebritishacademy.ac.uk](mailto:j.thornborough@thebritishacademy.ac.uk)).

<sup>1</sup> Green Open Access is where the final published version, or ‘version of record’ (VoR), of an article or monograph is disseminated as pay-to-read by the publisher, while an earlier version, usually the author accepted manuscript (AAM), made available for free in an electronic repository (e.g. a university or subject repository) or on the author’s own website. It is sometimes known simply as ‘self-archiving’.

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