EThOS Toolkit

Archived content 13/06/2013

<u>Documentation</u>

<u>Memorandum of Understanding</u>

Electronic Theses On-line System (EThOS)

Memorandum of Understanding
in the operation of EThOS

Between

Higher Education Institution

____<<Institution Name>>_____

And

The EThOS manager:

The British Library

Dated:

For British Library office use only

Institution Reference:

Participation Option

The Institution wishes to participate in EThOS at the following level (please tick the selected participation option after reading the EThOS Toolkit and this document):

Open Access Sponsor • A minimum initial commitment of 3 years (contributions made in advance) to help ensure the infrastructure • Contractually obliged to supply a specified number (according to contribution level) of original paper theses for digitisation selected on-demand by researchers • HEI choice of additional theses to digitise should the full contribution value not be selected on-demand. • Commitment to increasing the level of contribution or to adopt an alternative participation option should demand for theses from researchers be high. • Digitised theses available for download by the HEI for inclusion on their Institutional Repository. • Higher priority for HEI sponsored digitisation projects • Usage statistics	☐ At a contribution level of: £8000 ☐ £4000 ☐ £2000 ☐ £700 ☐
Associate Member Level 1 (Open Access) • No advance contribution from the institution. • HEI commitment to supply original theses for scanning on demand, according to the Memorandum of Understanding • Invoiced quarterly and retrospectively for theses digitised. • Digitised theses supplied to the HEI for inclusion on their Institutional Repository. • Additional digitisation projects as resources and capacity permit. • Usage statistics	☐
Associate Member Level 2 • No payment of any kind from the institution • HEI commitment to supply original theses for scanning on demand, according to the Memorandum of Understanding • Digitisation paid for by the first researcher to order a thesis. • Digitised theses supplied to the HEI for inclusion on their Institutional Repository. • Usage statistics	☐
Associate Member Level 3 • Metadata display only – no thesis supply in any format. • Links to the institution record if made available. • No additional (paid for) services offered to the researcher.	☐

Introduction

The Electronic Thesis On-line System (EThOS) is a collaborative partnership between UK Higher Education Institutions and The British Library to offer a single point of contact for researchers to access all UK theses. UK HEIs provide the material (theses) and The British Library provides the technical and supporting infrastructure. This document describes EThOS and defines the practical relationship between the parties.

EThOS was developed as a result of the EThOS and EThOSnet projects primarily funded by the JISC and with further donations from CURL and the consortium of project partners which included The British Library and a representative set of UK HEIs under the leadership of the University of Glasgow (EThOS) and Imperial College, London (EThOSnet).

This Memorandum of Understanding describes the system only to the level required for the document. A full description of the offering and its approach to issues such as participation options and Intellectual Property Rights can be found in the EThOS toolkit available at the following address:
http://ethostoolkit.cranfield.ac.uk/

In signing this Memorandum, it is assumed that the representative of the participating institution understands the principles supporting EThOS and agrees to them.

Status of this document

Participation in EThOS is voluntary for the signatory institution. This Memorandum states the responsibilities of the parties involved. There are no sanctions if any of the responsibilities are not met, but in order for EThOS to be successful and to demonstrate the institution to researchers (who may be potential students or investors) in the best possible light, both the institution and the EThOS manager (The British Library) must strive to meet these responsibilities.

The document has been drawn up with the full involvement of the EThOSnet Higher Education partners and aims to describe fair and reasonable obligation levels for both signatories. The EThOS system will display an Order Process History for each thesis ordered which shows significant events in the processing of a thesis and the dates on which they occurred e.g.:

Thesis ready for collection	07/09/2008 14:02
Thesis received at EThOS	04/09/2008 09:21
Thesis requested from institution	01/09/2008 13:38
Order placed	01/09/2008 13:37

EThOS will maintain only one version of this Memorandum of Understanding. This approach means a simple, consistent and understandable system for all of those involved, and low maintenance costs. There will be no negotiation of individual arrangements with institutions.

This Memorandum of Understanding can be seen, therefore, as a statement of intent to make resources available to deliver the best possible access to the researcher.

Stakeholders

The following table lists those with a direct interest in EThOS i.e. the stakeholders. The definitions given here should be applied throughout the document. There are other stakeholders with an interest in the system but those listed are the primary stakeholders.

Benefits are suggested – these are not comprehensive, only the primary benefits for each stakeholder group are given.

Stakeholder	Interest	Benefit
Author	The creator of a thesis	Makes work known to the research community
Higher Education Institution	The institution which awards the qualification on the basis of the thesis	Makes work known to the research community. Attracts interest from students and investors.
The British Library	The system manager - offers access on behalf of participating institutions	Fulfils access remit, achieves financially viable and sustainable offering.
Researcher	A 'customer' who is interested in access to UK theses	All UK Doctoral Theses from one point of access.

Scope of EThOS covered by this document

EThOS scope

Author → Institution → EThOS → Researcher

The scope of EThOS includes:
- Technical interfaces to allow loading of e-theses by a member institution
- Business interfaces to support requesting of paper theses from a member institution, supply to and return from EThOS
- Digitisation of paper theses and loading to EThOS
- Storage of e-theses (whether e-born or digitised)
- System interfaces to allow selection, ordering and delivery of theses to a researcher
- Additional paid for services to the researcher e.g. printing, binding, burning to media.
- Measures to protect the Intellectual Property Rights of authors and institutions whose theses have been distributed by EThOS.
- Preservation of all e-theses deposited on the system whether e-born or digitised.

EThOS does NOT:
- Interface with authors e.g. EThOS will not accept a thesis submitted by an author other than via the awarding institution.
- Offer any thesis other than doctoral theses (though the definition of doctoral thesis is at the discretion of the institution).

- Offer any version of a thesis other than the version against which the qualification was awarded
- Supply theses updated since award.

Responsibilities

Institutional Repository

Institution

1. Ingest and store doctoral theses from authors to whom a doctoral degree has been awarded.
2. Maintain metadata for theses on the Institutional Repository such that metadata meeting the UK Electronic Theses & Dissertations qualified Dublin Core (UK ETD qDC) standard can be prepared for theses to be transferred to EThOS. [Note that this does not constrain the metadata held on the IR or its format – it means that appropriate metadata must be held to produce at least the minimum set required for transfer to EThOS. However, the better the quality of metadata, the more likely that a researcher will find the thesis].
3. Prepare theses for harvesting according to the adopted data transfer standards and procedures defined in the EThOS Toolkit.
4. Allow access to the EThOS harvester for download of records and content.
5. Embargo sensitive theses by either:
   - Not making them available for harvesting (highest level), OR
   - Adding an embargo date (and reason, if appropriate) to the metadata prepared for harvesting. [EThOS will not make the thesis available until the embargo expires]

The British Library

1. Harvest e-theses from the Institutional Repository on a regular basis (weekly).
2. Load harvested theses to EThOS and make them visible to researchers the next working day after successful harvest.
3. Inform the Institution of any theses for which mandatory metadata elements have not been supplied.
4. Do not allow ordering of a thesis which has been supplied with an embargo date (and reason, if appropriate) until after the embargo expires.

Institution web service loader *(not applicable to Associate Member Level 3)*

For use where the institution does not have an Institutional Repository, or if for any reason theses cannot be harvested directly by EThOS.

Institution

1. Load theses supplied in e-form (e.g. on CD, DVD, memory stick, etc.) and which cannot be harvested from an Institutional Repository to EThOS via the web service.
2. Add appropriate metadata (including all mandatory elements) via the interface.
3. Load the thesis as early as possible after the institution is ready to make it available for supply.

4. Ensure that the id and password for this part of the system is kept secure.

The British Library

1. Maintain a secure id and password system for Institution administrators i.e. to ensure that only an Institution's administrator can upload theses (provided that the administrator has not allowed the id and password to fall into unauthorised hands).
2. Maintain a web facility which allows metadata and content of a thesis to be uploaded by a participating Institution's administrator.
3. Load all theses uploaded by an Institution's administrator to EThOS by the next working day provided that all mandatory metadata elements have been supplied.
4. Inform the institution should an uploaded thesis be refused by EThOS and why e.g. incomplete metadata.

BL Admin staff loading of e-theses *(not applicable to Associate Member Level 3)*

Institution

1. Ensure that all other avenues for loading of an e-thesis are unavailable before asking BL administrative staff to load the thesis.
2. Safe transport of the thesis to the EThOS address.

The British Library

1. Ensure that the thesis has been sent from an authorised source i.e. the administrator of the institution which awarded the qualification.
2. Load the thesis to the system within 5 working days of receipt of the thesis
3. Safe return of the thesis to the originating institution.
4. Maintain a web loading facility for BL administrative staff.
5. Ensure that only authorised staff can load a thesis by means of secure id and password.

Digitisation *(not applicable to Associate Member Level 3)*

Institution

1. Maintain an email address specifically for EThOS to communicate with your thesis store. [Note: a generic id and password accessible by a small group of people would ensure that communications could be received regardless of staff leave, illness, etc.]
2. Retrieve and post a paper thesis to EThOS within 1 working day of receiving a request via email.
3. Ensure that the thesis is not under embargo, and is complete and in a state that you are happy to supply to the researcher. [Note that The British Library cannot check theses.]
4. Arrange and pay the cost of transport of a thesis to EThOS.

The British Library

1. Record receipt of a thesis at EThOS on the day of receipt.

2. Digitise the thesis and load to the system for collection by the researcher or for post-processing within 5 working days
3. Record the cost of digitising the thesis against the contribution of the institution based on their chosen relationship with EThOS
4. Record despatch of the thesis from EThOS.
5. Return all theses to the correct institution securely by courier.

Quality of submitted theses *(not applicable to Associate Member Level 3)*

Institution

1. Submitted thesis is appropriate for onward supply, ie complete, pages in the correct order, all appendices included, etc.
2. Submitted thesis is the final version against which the qualification was awarded
3. Submitted thesis is a doctoral thesis – it is understood that there are many different qualifications which may constitute a doctoral thesis, EThOS leaves it to the institution to define which are considered doctoral and which are therefore submitted.

The British Library

There will be NO quality checking of theses submitted. If a problem is noticed with a submitted thesis, it may be reported to the institution, but the responsibility lies with the institution to ensure that the quality of a submitted thesis is appropriate for onward supply.

Researcher interface

Institution

1. Supply the best quality metadata available to aid searching the system.
2. Supply title pages to allow cataloguing of new theses where the metadata for that thesis will not be supplied by any other means e.g. harvesting from the IR, exported from a catalogue, loaded via web service.

The British Library

1. Maintain a user-friendly user interface which allows researchers to:
   a. Search the system for known theses
   b. Search the system speculatively
   c. Identify theses which are available for immediate download
   d. Read a thesis abstract (where available)
   e. Identify a thesis of interest
   f. Identify costs (if applicable) and timescales for supply of a thesis
   g. Identify options for supply format (e.g. download, printed, CD/DVD, etc.)
   h. Select options and order the thesis
   i. Pay for additional 'paid for' services by credit card
   j. Track progress of the order
   k. Inform the researcher when their thesis is available on the system

l. Download the thesis when available

m. Route researchers to the repository or library of any Associate institution which does not wish to allow access to one or more of its theses via EThOS.

2. Maintain and upgrade the interface as and when appropriate

Storage *(not applicable to Associate Member Level 3)*

Institution

N/A

The British Library

1. Store e-theses so that they are available for immediate download by the researcher or the EThOS 'paid for' service administrative staff for preparation into the format of choice of the researcher.
2. Maintain a store of sufficient size to store the expected volume of supply copies of e-theses at any given time.

Additional Paid for Services *(not applicable to Associate Member Level 3)*

Institution

N/A

The British Library

1. A set of delivery formats appropriate to the material offered and which will include:
    a. Paper – hard-bound
    b. Paper – soft-bound
    c. Paper – loose-leaf
    d. CD/DVD
2. A service to prepare theses into the delivery format of choice of the researcher.
3. Appropriate charges to the researcher for preparation to the format required.
4. Payment by credit card on ordering.
5. Delivery within the timescales indicated by EThOS at the time of ordering.

Funding *(not applicable to Associate Member Level 3)*

Institution

1. Contribute/pay at the selected level for the selected Participation Option.
2. Pay according to British Library terms and conditions.
3. Monitor contributions made and costs incurred throughout the year in response to regular reports .
4. Inform EThOS administrators as soon as possible if you wish to make additional contributions (Open Access Sponsor only)

The British Library

1. Monitor contributions made and costs incurred.
2. Maintain an audit trail of contributions and usage.
3. Report on usage by means of monthly reports per institution.
4. Produce an exception report for any institution with a low or high quota balance and send to the institution. [Open Access Sponsor]
5. Invoice institutions on a quarterly basis. [Associate Member Level 1 (Open Access)]
6. Produce an annual summary including contributions and usage to demonstrate the not for profit nature of EThOS. Report balance.
7. Switch an institution from Open Access Sponsor to an <u>Associate</u> status if any contribution is not made on time.

Participation Options

Institution

- Indicate the participation option required when first joining EThOS and commit to it for an initial period of three years.
- Accept details of participation options given at the head of this document.
- Take appropriate actions in response to any exception reports of low or high activity.

The British Library

1. Maintain the system to support the defined participation options.

Intellectual Property Rights

Institution

1. Advise current authors of their rights and the rights of those whose work or contribution they may wish to use in their thesis. [Of most benefit early in the development of the thesis]
2. Ensure authors understand their rights and the rights of those whose work or contribution they may wish to use in their thesis on submission of the thesis to the Institutional Repository.
3. Ensure that current authors sign a licence permitting their thesis to be made available via the Institutional Repository and/or EThOS. A model licence is available via the EThOS Toolkit. EThOS also recommends making authors aware of relevant take-down policies and procedures.
4. The signing of this Memorandum of Understanding allows EThOS any distribution rights owned by the institution for theses supplied under the agreement.
5. In the event of any request to take down a thesis from EThOS, the institution will take all appropriate actions to verify the identity of the claimant as author of the thesis or as owning rights to the thesis and, on so doing, will advise EThOS on the validity of the request within 1 working day.

The British Library

1. Assert the rights of authors and third parties.
2. Supply of theses only to registered users so that those that have accessed a thesis can be tracked.
3. Users must log-in before being allowed to download.
4. Users must accept terms and conditions of supply before being allowed to download for every order.
5. Operation of a standard British Library notice and take-down policy based on the JORUM model. Thesis taken down on validation of requester by the institution within 1 working day.
6. Only accept theses sourced via the institution – submission of a thesis by an author or an author's agent will not be accepted.
7. Harvesting of theses by other agents will not be allowed – harvesting of metadata will be allowed with a link back to EThOS.
8. Thesis content will be supplied to a plagiarism detection agency (iPAS) so that their facility can be used by registered organisations (including UK HEIs) to check the originality of newly submitted theses against the EThOS database, and that theses have not been plagiarised by authors of other types of works.

Metadata/record supply

Institution

2. Institutions will be at liberty to harvest thesis metadata from EThOS at their own discretion. Theses will be fully catalogued by The British Library, and this could be a way of enhancing Institution catalogue records.
3. The institution may download e-born or digitised theses originating from their own institution from EThOS and load them to their own institutional repository.

The British Library

1. Metadata will be freely harvestable by any external body, with a view to making theses more visible to researchers. Thesis content will NOT be harvestable so supply will always be via EThOS thus ensuring protection of author's rights. The British Library retains all applicable copyright and database rights in the metadata created by or compiled for EThOS.
2. In the interests of making theses more visible, thesis metadata from EThOS may also be included in some British Library bibliographic services or other products which generate revenue. Onward supply of the actual thesis will always be via EThOS, and supply and digitisation of theses will always be free of charge or charged at not for profit prices in accordance with this agreement.

Preservation

Institution

The institution will make available for harvest all theses which are to be preserved. Those which may not be displayed by the EThOS system for researchers to access should be given an embargo date some considerable time in the future so that the

thesis will be preserved but not viewed. The institution will be expected to make the majority of its theses available for access by researchers and may NOT use the EThOS system, in effect, as only a preservation system.

The British Library

EThOS will preserve all theses supplied to it whether by harvesting from an institutional repository or by digitising in accordance with the preservation policy specified in the EThOS Toolkit.

Access Times

Access times are not specified at the time of writing. EThOS will be available for as much of the 24 hour day as possible but if downtime is required for back-ups or other tasks which safeguard the system they will be put in place at the time of least inconvenience for UK users i.e. in the middle of the night e.g. 2am to 4am.

Support

Researcher

The British Library will offer support via its Customer Services Help Desk facility to researchers using the system to identify and source theses. Current contact details can be found on the British Library website and a link will be offered via the Researcher Interface.

If The British Library Customer Services Help Desk cannot answer the query of the researcher, it will be passed on to the EThOS administrative support team for resolution. The support team will involve technical support if required. Thereafter, escalation routes described in the Governance section of this document will apply.

Institutional Administrator

Those with responsibility within institutions for the relationship with EThOS can contact the support team directly. Contact details are given in Section 13. Where problems are not resolved at this level, escalation routes are shown under the Governance section of this document.

Availability Targets

Researcher Interface

The Researcher Interface will be available for 98% of the total available system times.

Web service loading

The web-service loading will be available for 75% of the total available system times.

Harvesting

The EThOS system will harvest each participating institution's Institutional Repository (where available) for new and amended e-theses once every week. If

EThOS misses a harvest due to unavoidable downtime, it will wait for the next harvest the following week. Should a second harvest be missed, a manual harvest will be actioned. The system will never be allowed to be more than 2 weeks out of date.

Response Times

Researcher Interface

All researcher interface screens will respond within 6 seconds of hitting Enter/Return for all actions except download of a thesis. The British Library will offer the system via a high-speed internet link, but the reaction times of a researcher's system to information being sent from the EThOS system will depend on the speed of their internet link.

Download of a thesis

The EThOS system will offer download theses via a high-speed internet link. The researcher interface suggests a download time of between 1-2 minutes, but this will depend on the speed of the researcher's internet link and the size of the thesis. For example, for a typically sized pdf format thesis and a researcher with a fast internet link, the download may be much quicker than 1-2 minutes. However, for a DVD sized film of 4.5Gb and a researcher with a slow internet link, the download will be considerably longer than 1-2 minutes.

Thesis order and supply (to the researcher)

The EThOS system displays 'turnaround' times to the researcher in the pricing section of the Order Details screen. The turnaround time is the time from receiving the order (i.e. when the researcher commits to the order by pressing "I accept" to despatch of the thesis to the researcher (despatch of the email informing the researcher that the thesis is available for collection in the case of a download).

This supply time includes several variables including the request and supply of the thesis from the institution, recording of arrival of the thesis by EThOS, digitisation and return of the original thesis and preparation of the thesis into the format required by the researcher (where paid for services are requested)

Thesis request and supply (from the institution)

Once the researcher commits to ordering the thesis, EThOS will email the institution immediately.

The institution will supply a thesis requested by the system on the working day following receipt of an email request i.e. the paper thesis will be despatched to EThOS using the method of transport of choice of the institution to be received by EThOS the day following despatch at the latest.

Security of the thesis in transit to EThOS will be the responsibility of the institution.

The EThOS administrative team will record receipt of the thesis on the day that it is received.

Digitisation and return of a thesis to the institution

EThOS will digitise the thesis and place it in return transit to the institution within 1 week of receipt.

The EThOS administrative team will record return of the thesis on completion of digitisation. The institution can expect return of the thesis 2-3 days after the return is recorded.

Security of the thesis is the responsibility of EThOS from receipt of the thesis to arrival of the thesis back at the institution.

Paid for Services

Additional paid for services involve preparation of the thesis for supply to the researcher in the format of the researcher's choice and are charged to the researcher.

Where the supply format is download, the system will inform the researcher of the availability of an ordered thesis within 1 day of the thesis being made available for load to the system i.e. after the completion of digitisation and all post-digitisation processing.

The system displays processing times and costs for paid for services in the Prices section of the Order Details screen. These supply times will be adhered to for 95% of all theses supplied with paid for services. Costs will be charged to the researcher at the level stated at the time of the researcher committing to the order.

Performance Reporting

EThOS will offer performance reports to all institutions taking part.

Governance

Unfortunately there is no appropriate body which can represent UK HE's views on a Management Group for EThOS. The British Library will form a Management Group where the manager(s) responsible for administrative support of EThOS and digitisation of theses will report against this agreement. Until April 2009, the EThOSnet project team will be available to consult on and represent the views of all parties.

When required, advice will be sought from partner institutions and ex-project partners on specific issues. Partner institutions may make suggestions for EThOS via the administrative team.

Reporting on system performance, usage statistics, fund levels, etc. to Institution administrators will be frequent and issues can be raised via the contacts given below. Escalation route will be as follows:
1. EThOS Administrative Support
2. EThOS Manager
3. Head of Operations and Customer Services (or successor post)
4. Director of Operations and Services (or successor post)

5. Chief Executive of The British Library

Agreement Termination

Involvement in EThOS is entirely voluntary and this Memorandum of Understanding is not considered a contract in any way. Institutions who are Open Access sponsors are required to commit to this arrangement for an initial period of three years. On written notification of termination, The British Library will:

1. Cease harvesting theses from the Institutional Repository immediately (where appropriate)
2. Remove all thesis content supplied by the institution if required. The size of this task will be in proportion to the number of theses on EThOS and, in the case of larger institutions, could take some time.
3. Remove all records of theses from the institution from the system if required.

Contacts

Initial contact points are given here. Issues not dealt with to the satisfaction of the complainant will be raised to the next level on the escalation route on request.

EThOS Administration   EThOS Administration
c/o Carol Burton
The British Library
Boston Spa
Wetherby
West Yorkshire
LS23 7BQ

Tel: 01937 546189
Email: uktheses@bl.uk
Fax: 01937 546286

Participant details

All participants please complete this section:

Institution name
……………………………………………………………………..

Full postal address
……………………………………………………………………………………
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...

Main EThOS administrative contact for the institution:

Name:

………………….……………………………………………………….

Position:

………………….………………………………………………………..

e-mail address: ………………………………………………......................

Contact e-mail address for EThOS system requests …..……….…………………

☐ Tick here if you have e-theses in your institutional repository ready for harvesting by EThOS.
Repository base url
………………………………………………………...........

Signed (by Library Director or equivalent)

Name:
Position:
Date:

Signed for The British Library

Name:
Position:
Date:

Confirmation of Contribution Details

Applicable only to Open Access Sponsors and Associate Members Level 1 (please tick the appropriate box). Associate Members levels 2 and 3 do not need to complete this section.

Open Access Sponsor ⬚

I confirm that my institution will participate in EThOS and will commit to this level of participation for an initial minimum period of three years.

Contribution amount: (see page 3) …………………

Contribution period(s):   2008/09 ⬚   2009/10 ⬚   2010/11 ⬚   2011/12 ⬚
(payment may be made in advance for future years)

Payment by

Purchase Order and invoice ⬚	BACS ⬚	Cheque ⬚
Please attach a purchase order from your institution, made out to: EThOS Administration c/o Carol Burton, The British Library Boston Spa Wetherby West Yorkshire LS23 7BQ Please quote the reference "EThOS contribution". Your institution will be invoiced some time after your participation has been confirmed.	To the following account: LloydsTSB Bank plc 39 Threadneedle Street London EC2R 8AU Sort Code: 30 00 09 Account: 02690351 IBAN: GB33LOYD 3000 0902 6903 51 Please ensure that your remittance advice clearly quotes the reference "EThOS contribution".	Please make cheques payable to "British Library" and send the payment, together with a remittance advice note of your institution name and contact number, clearly quoting the reference "EThOS contribution", to: British Library Accounts Receivable Boston Spa Wetherby LS23 7BQ

Associate Member Level 1 (Open Access) ⬚

By signing this agreement we agree to pay quarterly invoices received from EThOS per the terms of the above Memorandum. Invoices should be sent to
⬚ the main administrative contact detailed in section 14 or
⬚ Name and address ..……………………………………………………………
……….…………………………………………………..…………………………………
……

16. Postal address

(All participants) Please return two copies of this signed Memorandum to the address below. Or fax 2 copies of this form to 01937 546286, FAO Carol Burton.

EThOS Administration

c/o Carol Burton,
The British Library
Boston Spa
Wetherby
West Yorkshire
LS23 7BQ

One copy signed on behalf of the British Library will be returned to your institution once your participation has been accepted.

COPYRIGHT FACTSHEET

In the UK Theses are protected by copyright under the Copyright, Designs and Patents Act, 1988 (the Act). Depending on the content, a thesis will usually be protected as a literary work at least in part and may also be a dramatic, musical or artistic work or a film, or by a combination of these categories of works.

Exclusive rights

The Act gives to the owner of the copyright in a thesis the exclusive rights to:
- Copy the work
- Issue copies of the work to the public
- Rent or lend the work to the public
- Perform show or play the work in public
- Communicate the work to the public
- Make an adaptation of the work

If a third party uses a substantial part of a thesis without the copyright owner's consent for all or any of these purposes, then copyright in the work is infringed.

Authorship and ownership

Copyright in a thesis generally belongs to the author. This however will change if the author (researcher) has assigned copyright to a third party in a written agreement. Some examples when ownership may have transferred to a different party include the following:
- Ownership of the copyright may have been assigned to the awarding institution when the course of research was commenced
- If the author was sponsored by a third party, then a condition of that sponsorship may have been that the copyright was assigned to the sponsor.
- The awarding institution might have employed the author to undertake the work (in this case the copyright belongs automatically to the awarding institution unless a contract freely entered into by both parties specifies otherwise).

It is always best to clarify the issue of ownership of copyright at the commencement of a period of doctoral research as it is the owner of the copyright in a thesis who has

to give permission for it to be made available in an institutional repository and via EThOS.

Use of third party works and the use of your work by a third party

Permission needs to be given if a substantial part of works belonging to third parties are to be used in a new work or if a third party wants to use a substantial part of your work. Substantiality is judged by quality and quantity. No permission is necessary if the substantial part is to be used for the purposes of fair dealing. This includes use for non-commercial research and private study, criticism, review and news reporting. In addition the legislation contains a number of instances when no permission needs to be sought for the use of a work in which the copyright belongs to a third party such as when a work is incidentally included in another.

Third party copyright

Thought has to be given to the possible presence of material in the thesis in which the copyright belongs to a third party. An example might be where an author has included photographs taken by a third party to illustrate an argument and included these in the work.

Traditionally in the UK, for the purposes of examination, inclusion of such copyright material owned by a third party has been accepted as the thesis has not been considered as formally published. This, however, changes where the thesis is made available on an open access basis on the Web. This is because the work is much more visible and subject to wide dissemination and the copies are no longer made for the purposes of examination of the thesis.

Where a thesis contains third party material the author should seek permission from the owner of the copyright in that material in order to make it available in an Institutional Repository and in EThOS.

Two suggested model forms are available:
- A request to a third party to include their material and make it available on an open access basis
- A request to a publisher to include an article with the thesis where that article has been published and the copyright assigned to the publisher.

Where the author has not, or cannot obtain permission from third parties, then he/she must edit the work before submission to the repository and EThOS. This could reduce the value of the deposited material, and thought should be given as to whether the revised thesis should be deposited.

Rights Chain

A simple rights chain is shown in the diagnostic tool, which may help to visualise the various stakeholders and their relationships in the process. At each stage permissions need to be passed downstream along the chain to enable the transference of rights

from the author to EThOS.
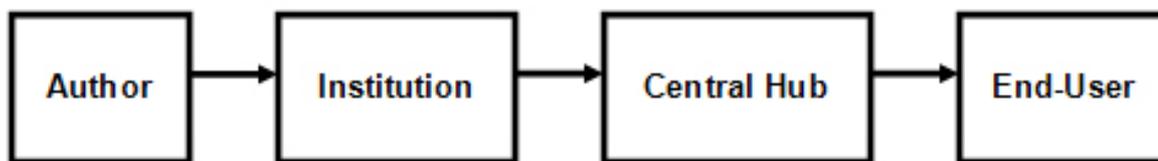
The rights chain for electronic theses and dissertations

1. Works owned by third parties – permission to be obtained by author. Conditions must be the same as the conditions on which the work will be made available to the end user

2. Author – clarify at the outset who will own the copyright in the Work

3. Institution – change the regulations to mandate electronic deposit both in the Institutional Repository and EThOS. Include in the regulations a non-exclusive licence from the author to make the work available on the terms and conditions on which the work will be made available to the end user

4. Author to deposit the work in Institutional Repository and EThOS

5. Terms and conditions on access to the repository and EThOS to be agreed to by the end user and to mirror the terms and conditions agreed by everyone whose work in included in the thesis including the author.

Existing agreements

In the case of institutions with existing open access e-thesis repositories, it is likely an existing agreement with thesis authors allows wide distribution of e-theses and associated metadata via their institutional repository and other mechanisms. Within the terms of these pre-existing agreements it should be acceptable for the central hub to harvest metadata records and redistribute on a non-commercial basis. However, institutions should update their agreements to explicitly permit inclusion of records within the ETHOS service to ensure transparency.

On the other hand, it will be necessary for institutions using the central hub hosted repository for access to metadata and full text, to gather permissions to do so from the authors. For practical reasons, institutions should collect permissions at the time of submission to the host university.

Copyright and Plagiarism

Intellectual Property Rights

Guidance about IPR issues associated with student created work in Higher Education is available from the following JISC Legal Information Service Web page: http://www.jisclegal.ac.uk/publications/studentipr.htm. In addition to explaining the general importance of developing an IPR policy in relation to student work, this report addresses different categories of IPR (Copyright, Moral Rights, Performance Rights, Database Rights, Patents, Trademarks, and Rights Related to Design). It also provides links to IPR policies in use in a range of UK Universities.

Plagiarism

Discussions are currently underway between EThOS and JISC-iPAS/iParadigms with regard to the possible use of Turnitin software. Appropriate permissions will need to be sought if the content of theses submitted to EThOS is passed to iParadigms. Institutions will need to advise students about this and appropriate guidance will need to be included in the thesis deposit form. Further information about this will be provided as discussions progress.

In the meantime, institutions may wish to consider including plagiarism checking procedures as part of their institutional policies relating to the submission of theses. An example of a plagiarism checking flowchart is available.

Freedom of Information FAQS

1. **What is it?**
Freedom of Information (FOI) is the right to ask for information held by public sector authorities and the obligation on public sector authorities to supply such information. The main legislation is the Freedom of Information Act 2000 and the Freedom of Information (Scotland) Act 2002.

2. **What is a public sector authority?**
Public sector authorities are usually organisations funded from central government and include:
    -   Universities
    -   Colleges
    -   Local councils
    -   NHS authorities
    -   Licensing Boards

For a full list see the FOI websites for England and Wales at http://www.ico.gov.uk/ and for Scotland at - http://www.itspublicknowledge.info/home/ScottishInformationCommissioner.asp.

3. **What kind of information can be asked for from the public authority /must be supplied by the public authority?**

Information which can be requested/supplied if it is recorded:
- On paper
- On computer files (including email)
- On video
- On microfiche

Public authorities must develop a publication scheme which lists and makes available certain classes of information. These include information on:
- The public authority and what it does
- What is spent by the public authority and how
- The priorities of the public authority and performance measures
- How the authority makes decisions
- The services the public authority offers

Note that where information is not available under the publication scheme it, can still be requested.

4. Who can ask for the information?
Anyone can ask for the information. Requests must be in permanent form (e.g. email; letter; text message) and should be responded to by the authority within 20 days. A charge for payment may be levied.

5. What information need not be made available under FOI?
The general philosophy of FOI is that information held by public authorities should be made available either in a publication scheme or in response to a request. There are a number of absolute exemptions where a public authority does not need to disclose information. These include:
- Information accessible to the applicant by other means. For example, if information is part of a publication scheme then the applicant should obtain the information through the scheme.
- Personal information: If the applicant requires personal information about themselves, then they need to make a subject access request under the Data Protection Act. Information will not be released under FOI if it contains or is data of a third party if disclosure would breach one of the data protection principles. For further information see the Data Protection guidance on the JISC Legal website.
- Information provided in confidence. For circumstances in which student work might be treated as confidential see JISC Legal – FOI and Student Work December 2005.

There are also a number of qualified exemptions where although there is an exemption, the authority must consider whether disclosure is required in the public interest. These include:

- Information intended for future publication
- Health and Safety
- Commercial interests

- Personal Information.

If the public authority considers that the data protection principles would not be breached by disclosure but the subject of the information has served a notice under the Data Protection Act that disclosure would cause unwarranted substantial distress or the subject of the information would have no right of access under the DPA then the authority has to consider the public interest when deciding whether to release the information. For further information see the Data Protection guidance on the JISC Legal website.

6. Can I copy the information I receive under FOI?
The documents provided will be protected by copyright and therefore subject to the limits on copying as set out in the Copyright Designs and Patents Act 1988. Permission from the owner of the copyright would be required to make copies of the documents.

Freedom of Information and Theses

If someone asks to see a thesis this information will help to inform you as to whether or not the request can be refused.

Context
The Freedom of Information Act 2000 (FOIA) (in Scotland the Freedom of Information (Scotland) Act 2002 (FOISA)), gives anyone a right of access to any information held by an public education institution, unless an exemption applies. The right of access applies regardless of who owns the intellectual property rights in that information. This means that anyone has the right to see the information held in any format by any "..part of the Library, including the right to see theses held by the library, unless refusing access can be justified in terms of a FOIA or FOISA exemption." This would include the right to see theses held by the library.

If an author wants to restrict access to a thesis they must explain the reason for that restriction in terms of a FOIA, or FOISA, exemption.

A number of possible exemptions may apply:

- The material is due for publication, or the author is actively seeking to publish this material.
- Release of the material would substantially prejudice the commercial interests of any person.
- The material includes information that was obtained under a promise of confidentiality.

If a thesis is to be restricted, the thesis metadata should be flagged to show

that the thesis is unavailable for supply[1]. The EThOS project or any other service provider should not be able to harvest the full-text of the thesis, however should acknowledge the thesis exists through the metadata. This will save the user time on undertaking speculative requests for thesis information that is not displayed. Currently the repository software used by a number of institutions already has this functionality built in as default. If your repository software does not allow this then the thesis should not be deposited in your or the central hub repository. When a restriction has come to its end, the institution should unblock the item in their repository or deposit the item to the repository allowing it to be harvested by EThOS. For more information on how this can be achieved, please contact the British Library on EThOS-help@bl.uk.

A relevant committee might be required to agree periods of restricted access within the terms of the legislation. A nominated member of staff might be responsible for administrative issues. Appropriate forms should be available for authors to request a period of restricted access to their thesis.

An overview of the 'Freedom of Information Act 2000', and associated guidance, is provided on the JISC Legal Information Service Web page.

APPLICATION TO RESTRICT ACCESS TO THESIS UNDER FOI

The [*Institution's Name*] is subject to the Freedom of Information Act 2000. This Act gives a general right of access to all information held by the University, including information held in [*repository's name*]. As a matter of normal practice we will only make your material available in accordance with the restrictions you have placed upon it. However, if someone specifically asks to see it, we must give them access unless the material qualifies for an exemption under the Act. Please indicate which of the following exemptions may apply to your material and explain why:

1) The material is due for publication or I am actively seeking to publish this material

2) Release of the material would prejudice substantially the commercial interests of any person

3) The material includes information that was obtained under a promise of confidentiality

4) Other (please specify)

---

[1] Digital repositories have almost universally adopted the Open Archives Initiative Protocol for Metadata Harvesting (OAI-PMH). This protocol supports interoperability among digital repositories and explicitly makes it possible to harvest and share metadata about the repositories resources. By implementing the OAI protocol institutions express their intention to share data in the spirit of the open access movement.

EThOS Toolkit

Archived content 13/06/2013

Legal Issues Checklist

Guidance

This checklist is intended for use by Librarians and Memorandum of Understanding leads. It does not comprise legal guidance, but identifies issues for institutions to consider and act on when making theses available in Institutional Repositories and EThOS.

The checklist will:

- Help ensure you have identified risks and taken adequate action to manage or avoid risks that have been identified
- Provide a quick reference guide for identifying, developing and implementing the appropriate internal policies and procedures to support the approach the institution wishes to take.
- Highlight the need to review existing institutional policies which may be associated with legal issues which might arise, such as plagiarism and Freedom of Information

Risk Assessment

In using the checklist, many of the decisions that librarians and authors make will be influenced by their view of the risks involved in taking a course of action. The default position of the EThOS service (following a legal risk assessment) is to offer an 'opt-out' approach to author permissions, thus allowing provision of theses in view of challenges in making contact with the author. This decision is then mitigated by a rapid take-down policy should an author or third party object. However, it is understood that each institution manages copyright and other legal risks differently when considering financial and reputational damage to their institution, and as such, the checklist below should help in determining how much or little involvement is required in submitting a thesis to both institutional repositories and EThOS.

Check List

Does your Institution already have conditions of deposit or a mechanism for Students to grant permission to use their thesis on your Institutional Repository?

If not, you can carry out of a risk assessment around posting a thesis to the Institutional Repository without the permission of the author, and on the basis of this risk assessment carry out one or more of the following actions:

- Request permission from the authors
- Notify authors that their theses have been used on an opt-out basis
- Instigate a Notice and Take Down Policy
- Ensure that in the future students sign an appropriate 'deposit agreement' on submission of their thesis

Does your Institution have a mechanism for authors (students) to grant permission to include their thesis in EThOS?

If not, you can carry out of a risk assessment around including a thesis in EThOS without the permission of the authors, and on the basis of this risk assessment carry out one or more of the following actions:

- Request permission from the authors
- Notify authors that their theses have been used on an opt-out basis
- Instigate a Notice and Take Down Policy
- Ensure that in the future students sign an appropriate 'deposit agreement' on submission of their thesis

Have you taken account of any third party content which might be included within the thesis?

If not, you can carry out of a risk assessment around the possible presence of third party content within a thesis, and on the basis of this risk assessment carry out one or more of the following actions:

- The Institution or the author can seek permission from the third party copyright holder
- Edit the digitised thesis to remove any third party content not granted permission
- Instigate a Notice and Take Down Policy

Does your institution have an appropriate person or persons who is authorised to decide if the content found available on your Institutional Repository is offending?

If not, it is suggested that this responsibility is clearly assigned to an appropriate person or persons.

Have you taken account of any content which might be included within the thesis which could be classed as obscene, libellous, inciting racial hatred, inciting terrorism and inappropriate in any other way?

If not, you can carry out of a risk assessment around the possible presence of content that may fall into these categories within a thesis, and on the basis of this risk assessment carry out one or more of the following actions:

- Edit the digitised thesis to remove any content that may fall into these categories
- Instigate a Take Down Policy

Does your Institution have a Data Protection Policy?

Your institution will be obliged to ensure that such a policy is in operation. Where your Institution collects personal data associated with any theses it needs to ensure compliance with its Data Protection Policy.

OTHER ISSUES REQUIRING ATTENTION

1. Does your Institution include clear policies to comply with Freedom of Information legislation whether by ensuring that appropriate information is available through a publication scheme, or having procedures are in place to respond to a freedom of information request within the time limit?

2. Is access to digitised theses available to disabled staff and students?

3. Does your Institution's policy provide specific instructions for users on how they can report any offending material (e.g. copyright infringing,

defamatory, obscene content etc) found available on your Institutional Repository?

4. Does your institution's policy provide for a Notice and Take Down procedure in case offending material is found in theses, which supports the Notice and Take Down Policy operated as part of EThOS?

Useful links:

Web2Rights
www.web2rights.org.uk

JISC Legal
www.jisclegal.ac.uk

JISC Risk Management Infonet
www.jiscinfonet.ac.uk/InfoKits/risk-management

Deposit Agreement

I have previously deposited a printed copy of my thesis (the Work) in the University of [insert name] Library and wish to deposit an electronic copy of the Work in the [insert name of repository] institutional repository ["Institutional Repository"] and with the British Library to be made available via the EThOS system.

Whether I deposit my Work personally or through an assistant or other agent, I agree to the following:

NON-EXCLUSIVE RIGHTS

Rights granted to the University of [insert name] and the British Library and the user of the thesis through this agreement are non-exclusive. I retain all rights in the Work in its present version or future versions. I agree that the Institutional Repository administrators and the British Library or their agents may, without changing content, digitise and migrate the Work to any medium or format for the purpose of future preservation and accessibility.

DEPOSIT IN THE UNIVERSITY OF [INSERT NAME] INSTITUTIONAL REPOSITORY AND IN THE BRITISH LIBRARY EThOS SYSTEM

I understand that work deposited in the Institutional Repository and with the British Library will be accessible to individuals and institutions via the Internet and through the EThOS system subject to the terms and conditions I grant below to the University of [insert here the name of the Institution] and the British Library and to the user of the thesis. I understand that, through the medium of the Internet, files will also be available to automated agents, and may be searched and copied by text mining and plagiarism detection software.

I DECLARE AS FOLLOWS:

That I am the author and owner of the copyright in the Work and/or I have the authority of the authors and owners of the copyright in the Work to make this agreement and grant the University of [insert name] and the British Library a licence to make available the Work in digitised format through the Institutional Repository and through the British Library via the EThOS system for the purposes of non-commercial research, private study, criticism, review and news reporting, illustration for teaching, and/or other educational purposes in electronic or print form

- That if my thesis/dissertation does include any substantial subsidiary material owned by third-party copyright holders, I have sought and obtained permission to include it in any version of my Work available in digital format via a stand-alone device or a communications network and that this permission encompasses the rights that I have granted to the University of [insert name] and to the British Library [see sample letter if permission is required].

   Either
- That the digital version of the Work I am supplying is as approved by the examiners at the time of the award of my degree and as previously submitted to the Library in printed form.
   or
- That, if I do not have a suitable digital version of the Work available, or if the repository administrators encounter problems with any digital file I supply, the administrators may scan the Work from the printed copy in the University Library

   [delete as appropriate]

- That I have exercised reasonable care to ensure that the Work is original, and does not to the best of my knowledge break any UK law, infringe any third party's copyright or other Intellectual Property Right, or contain any confidential material. [If in doubt please see fact sheets on IPR; Data Protection; Freedom of Information; Unlawful Content]

I understand that neither the University of [insert name] nor the British Library have any obligation to take legal action on behalf of myself, or other rights holders, in the event of infringement of intellectual property rights, breach of contract or of any other right, in the Work.
Please sign this page and return it to [insert name and address]

Name

Address

Signature: ....   Date:
....

Thesis Details

Please forward the text of your thesis in Word or PDF format:
a) as an e-mail attachment to [insert e-mail address]
or
b) on a disk posted to [insert name and postal address]
If you do not have an electronic copy available, please write "to be scanned" in the box for File Format, at the bottom of this form.
If your thesis includes supplementary material that is not incorporated in the main body of the text, please contact [insert details] to discuss the format for supply.
Please also supply the as many of the details requested below as possible.

Field Name	Comments
Title	Full title, including any subtitle.
Alternative Title	Other titles for the work, e.g. Translations or abbreviations.
Author	The author of the work as on the title page. Separate the surname (family name) from the forenames, given names or initials with a comma, e.g. Smith, Andrew J.
Supervisor(s)/advisor	Thesis supervisor, other supervisors, and advisors. Format as for author.
Subject keywords	Keywords that will help readers search for your thesis.
Abstract	Please supply the Abstract in a form that can be copied, e.g. Word. If possible, please supply a file from which the abstract can be copied.
Awarding Institution	Name of institution awarding degree.
Author Affiliation	Name of school, department, centre, faculty or college where you were based.
Publisher	Name of the publisher if the thesis or any version of it has been formally published.
Sponsors	Sponsor of student if applicable.

Qualification name	Name = Specific degree, e.g. PhD
Language	Primary Language
Date of Award	Date degree awarded in format: YYYY-MM
Included/Quoted work	References to other works, e.g. an edition of a text or discussion or another work that is the major subject of the thesis.
File Format	File type and software version (e.g. Word 2003) of the text supplied.
File Size	Size of file for preservation information and integrity checking.

Notice and Take Down Policy

It is good practice to have a clear policy on what action will be taken if any complaints are received about the content of a repository.

Institutional Repository

A typical message on an institutional repository might be:

If the administrators of [name of repository] are notified of a potential breach of copyright, or receive a complaint indicating a violation of publishers' rules or other relevant concern, the item involved will be removed from the repository as quickly as possible pending further investigation.

Where the grounds for complaint are considered plausible, the material will be permanently withdrawn from the repository. (N.B. This may take some time if it is necessary for [name of institution] to seek legal advice to resolve the complaint).

EThOS
The EThOS Notice and Takedown Policy states the following:

If you are a rights owner and are concerned that you have found material, for which you are the rights owner, on our website and you have not given permission, please contact us in writing stating the following:

1. Your contact details.
2. The full bibliographic details of the material.
3. The website address where you found the material.
4. A statement that, under penalty of perjury, you are the rights owner or are authorised to act for the rights owner.

Please send to:

Notice and Takedown
Room 1/11
The British Library
Boston Spa
Wetherby
LS23 7BQ

Noticeandtakedown@bl.uk

The 'Notice and Takedown' procedure is then invoked as follows:

1. The British Library will acknowledge receipt of your complaint by email or letter and will make an initial assessment of the validity and plausibility of the complaint.
2. The material will be temporarily removed from the British Library website pending an agreed solution
3. The British Library will contact the contributor who deposited the material. The contributor will be notified that the material is subject to a complaint, under what allegations, and will be encouraged to assuage the complaints concerned.
4. 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:
    1. The material is replaced on the British Library website unchanged.
    2. The material is replaced on the British Library website with changes.
    3. The material is permanently removed from the website.
5. If the contributor and the complainant are unable to agree a solution, the material will remain unavailable through the British Library until a time when a resolution has been reached.

Letter 1

Letter from author to publisher seeking permission to include in a thesis material written by the author in which copyright has been assigned to the publisher [DELETE THIS BEFORE SENDING OUT]

[INSERT NAME AND ADDRESS OF PUBLISHER HERE]

[INSERT DATE HERE]

Dear...........................

I am the author of [insert full citation details for the work] ["the Work"] which was published by [insert publisher's name] in [insert name of publication/s] and which was assigned to [you or your company] by an agreement dated [insert date].

I would like to include the Work in my doctoral thesis, '[Here add title of thesis]'. My thesis will be made available as an electronic version deposited in [name of university]'s online repository [insert URL]. Once available in digital format, access to the thesis will be freely available via the Web and through the 'Electronic Thesis Online Service' (EThOS) provided by the British Library (http://EThOS.bl.uk/). The User of the thesis will be required to agree that they shall only use the thesis for non-commercial research, private study, criticism, review and news reporting, illustration for teaching, and/or other educational purposes in electronic or print form.

I would be grateful if you, or the company you represent, could grant me permission to include the Work in my thesis and to use the Work, as set out above, royalty free in perpetuity. Please be aware that the Work will be archived by the British Library as part of EThOS in perpetuity.

Yours…………………….
[INSERT NAME HERE[

I/WE HEREBY GRANT PERMISSION FOR USE OF THE WORK FOR THE PURPOSES AND ON THE TERMS IDENTIFIED ABOVE

For and on behalf of [name of company]

(Signature)...

[Position]

[insert name of addressee]

Date..

---

*The following might be added [as is required by the regulations of my Institution]

(note: some Institutions require that work drawing on the thesis and which has been published by the candidate be included when the thesis is submitted for examination. Adding a note to that effect here might help the candidate when seeking permission. The publisher might however say that the published articles have to be removed from the thesis before it is placed in the repository. If that is the case, then the Institution will have to consider whether the thesis should be included in the Institutional repository as it will not be an exact copy of the examined work).

[DELETE THIS, AS APPROPRIATE, BEFORE SENDING OUT]

Letter 2

Letter from the author to a publisher or other third party asking for permission to include material in which the copyright belongs to the publisher / third party **[DELETE THIS BEFORE SENDING OUT]**

[Insert name and address of recipient here]

[Insert Date]

Dear..........................

I am completing a doctoral thesis at [insert name of university] and I am contacting you to request permission to include the following material within the electronic version of my PhD:

[Insert citation details of the original work and a full description of the excerpts and/or specifics relating to content to be reproduced] ["the Material"]

I would like to make my thesis will be made available as an electronic version deposited in [name of university]'s online repository [insert URL]. Once available in digital format, access to the thesis will be freely available via the Web and through the 'Electronic Thesis Online Service' (EThOS) provided by the British Library (http://EThOS.bl.uk/) where a copy may also be held. The User of the thesis will be required to agree that they shall only use the thesis for non-commercial research, private study, criticism, review and news reporting, illustration for teaching, and/or other educational purposes in electronic or print form.

I would be grateful if you, or the company you represent, could grant me permission to include the Material in my thesis and to use the Material, as set out above, royalty free in perpetuity. Please be aware that the Material will be archived by the British Library as part of EThOS in perpetuity.

I/WE HEREBY GRANT PERMISSION FOR USE OF THE MATERIAL FOR THE PURPOSES AND ON THE TERMS IDENTIFIED ABOVE

(Signature)...

[insert name of addressee]

Date...

If you are not the owner of the copyright in this material I would be most grateful if you would confirm this and advise me who to contact.

I DO NOT HOLD RIGHTS TO THE ABOVE MATERIAL

(Signature)...

[insert name of addressee]

Date...

TO OBTAIN PERMISSION FOR USE OF THE ABOVE MATERIAL FOR THE PURPOSES IDENTIFIED, PLEASE CONTACT:

....

....

Yours......,

[insert name and institution]

Letter 3

Letter from Institution to author stating that an electronic copy of his / her thesis will be placed in EThOS unless he/she opts-out
FOR USE WHEN AN INSTITUTION ALREADY HAS PERMISSION TO DIGITISE AND MAKE AVAILABLE A DIGITAL COPY OF THE THESIS VIA THE INSTITUTIONAL REPOSITORY
[DELETE THIS BEFORE SENDING OUT]

[INSERT NAME AND ADDRESS]
[Insert Date]

Dear...........................

I am contacting you in connection with your PhD thesis entitled [insert name of thesis]. As you know, the [insert name of university] Library currently holds a paper copy of your thesis in the library and a digitised copy in the [here insert name of University] Institutional Repository. Standard document supply arrangements for UK theses have changed since you deposited your thesis with the Library, so we would like to inform you about the new services that are available and the implications for your own work.
In line with many other Higher Education Institutions the [insert name of university] is now providing free access, via the Web, to electronic copies of doctoral theses produced by current and former students. Digital versions of the theses are being included in the [name of university]'s online repository [insert name of repository] [(insert URL] ["the Institutional Repository"] free of charge. Once digitised from paper, access to [insert name of university] theses are also available free of charge through the 'Electronic Thesis Online Service' (EThOS) provided by the British Library (http://EThOS.bl.uk/). This replaces the old British Library (microfilm) thesis service and is now the standard system for access to theses from UK universities.
Doctoral theses in the Institutional Repository and EThOS are available for reading and downloading by requesters who have registered with the system.

Both are non-commercial services and readers do not have to pay to read theses, however, in some cases there may be an initial charge for digitisation of theses after which the digital copy will be available for free to all future requestors. Inclusion of a thesis in the Institutional Repository does not change the copyright in the work. Anyone wishing to gain access to the thesis [either via The Institutional Repository and/or EThOS] will be required to agree that it shall only use the thesis for non-commercial research, private study, criticism, review and news reporting, illustration for teaching, and/or other educational purposes in electronic or print form.

(For information about measures that are being taken to reduce the risk of plagiarism etc., see the 'Frequently Asked Questions' in the EThOSnet Toolkit at http://EThOStoolkit.cranfield.ac.uk/).

Important: If you DO NOT want your thesis to be made available via EThOS you may opt out of having your work included in this system. Please notify us as soon as possible (and no later than [here insert time]), by e-mail to [insert appropriate e-mail address] or in writing to [insert appropriate postal address]. While your thesis will remain available in the Institutional Repository we would like to discuss possible alternative ways of making your thesis available to requesters. So, if possible, please include a telephone number so that we can contact you to discuss possibilities.

If you do not opt out of this system, your thesis will be made available via EThOS and will remain available on an open access basis subject to the terms and conditions explained above unless you notify the British Library that you want it to be removed in accordance with the EThOS 'Take Down Policy' (http://www.bl.uk/aboutus/terms/index.html#notice).

Many theses which have been made available via the Web, both in Institutional Repositories and EThOS, have attracted considerable interest from researchers nationally and internationally and we hope that you will take advantage of this opportunity to ensure that your work is made freely and openly accessible.

Yours......,
[insert name and institution]

Letter 4

Letter from Institution to author informing him/her that his/her thesis will be included in an institutional repository and EThOS when a request is made by a third party   for access to the thesis, or as part of the institution's ongoing retrospective digitisation programme, unless he/she opts-out
 [DELETE THIS BEFORE SENDING OUT]

[INSERT NAME AND ADDRESS]
[Insert Date]

Dear...........................
I am contacting you in connection with your PhD thesis entitled [insert name

of thesis]. As you know, the [insert name of university] Library currently holds a paper copy of your thesis and requests can be received by the university or the British Library to provide access to your work. Standard document supply arrangements for UK theses have changed since you deposited your thesis in the Library, so we would like to inform you about the new services that are available and the implications for your thesis.

In line with many other Higher Education Institutions the [insert name of university] makes the electronic copies of theses that it holds in the Institutional Repository freely available via the Web. Digital versions of [insert name of university] theses are now also available free of charge through the 'Electronic Thesis Online Service' (EThOS) provided by the British Library (http://EThOS.bl.uk/). This replaces the old British Library (microfilm) thesis service and is now the standard system for access to theses from UK universities.

Doctoral theses in the Institutional Repository and EThOS are available for reading and downloading by requesters who have registered with the system. Both are non-commercial services and readers do not have to pay to read theses, however, in some cases there may be an initial charge for digitisation of theses after which the digital copy will be available for free to all future requestors. Inclusion of a thesis in the Institutional Repository does not change the copyright in the work. Anyone wishing to gain access to the thesis [either via The Institutional Repository and/or EThOS] will be required to agree that they shall only use the thesis for non-commercial research, private study, criticism, review and news reporting, illustration for teaching, and/or other educational purposes in electronic or print form.

(For information about measures that are being taken to reduce the risk of plagiarism etc., see the 'Frequently Asked Questions' in the EThOSnet Toolkit at http://EThOStoolkit.cranfield.ac.uk/).

Important: If you **DO NOT** want your thesis to be digitised and made available via EThOS you may opt out of this system. Please notify us as soon as possible (and no later than [here insert time]), by e-mail to [insert appropriate e-mail address] or in writing to [insert appropriate postal address]. If possible, please include a telephone number so that we can contact you to discuss any possible alternative ways of making your thesis available to requesters.

If you do not opt out of this system, the paper copy of your thesis will be digitised by the British Library when a request for it is received or when the [insert name of institution] selects it for inclusion in EThOS as part of the university's ongoing retrospective digitisation programme. A copy will be made available via EThOS and will remain available on an open access basis subject to the terms and conditions explained above unless you notify the British Library that you want it to be removed in accordance with the EThOS 'Take Down Policy' (http://www.bl.uk/aboutus/terms/index.html#notice).

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Letter 5

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....

Full   title   of   thesis/dissertation:
....

School/Department:
....

Degree: ....

Date conferred: ....

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<u>Application for Restricted Access to a Thesis</u>

The [*Institution's Name*] is subject to the Freedom of Information Act 2000. This Act gives a general right of access to all information held by the University, including information held in [*repository's name*]. As a matter of normal practice we will only make your material available in accordance with the restrictions you have placed upon it. However, if someone specifically asks to see it, we must give them access unless the material qualifies for an exemption under the Act. Please indicate which of the following exemptions may apply to your material and explain why:

1) The material is due for publication or I am actively seeking to publish this material

2) Release of the material would prejudice substantially the commercial interests of any person

3) The material includes information that was obtained under a promise of confidentiality

4) Other (please specify)

If someone asks to see your thesis, this information will be used to decide whether or not the request can be refused.

Update the Dublin Core Registry

Login into the DSpace admin interface.

Add the following fields to the Dublin Core Registry (or verify that they already exist):

Element	**Qualifier**	**Notes**
identifier	grantnumber	
publisher	commercial	
publisher	department	
relation	references	
rights	embargodate	
rights	embargoreason	

```
type          qualificationlevel
type          Qualificationname
contributor   sponsor              Optional: only required if you
                                   wish to use
                                   'dc.contributor.sponsor' to
                                   hold sponsorship/funding
                                   information instead of the
                                   DSpace default field
                                   'dc.description.sponsorship'
contributor   funder               Optional: only required if you
                                   wish to use
                                   'dc.contributor.funder' to
                                   hold sponsorship/funding
                                   information instead of the
                                   DSpace default field
                                   'dc.description.sponsorship'
```

Customize input-forms.xml

The DSpace documentation provides a comprehensive guide - [Custom Metadata-entry Pages for Submission](#) - which explains how to customize the web submission forms for a given collection. The following notes should be used in conjunction with that guide.

You will need to edit `input-forms.xml`, which is in the `config` subdirectory under the DSpace home.

There are three sections which will need editing:

- Form-map
- form-definitions
- form-value-pairs

Form-map

This section is enclosed by the `<form-map>` … `</form-map>` tag. It contains a `default` name map which should be left as is:

```
<name-map collection-handle="default" form-name="traditional" />
```

You will need to determine and take note of the handle(s) of your thesis collection(s). For each thesis collection add a new name-map entry, replacing *Insert your handle here* with the actual handle:

```
<name-map collection-handle="Insert your handle here" form-name="ethos" />
```

Form-definitions

This section is enclosed by the `<form-definitions>` … `</form-definitions>` tag. All you need to do is copy and paste in the contents of the supplied `ethos-form-definition.xml` just before the closing `</form-definitions>` tag.

By default, this assumes that you are using the `description.sponsorship` field to hold sponsorship/funding information. However, if you prefer to use `contributor.sponsor` and/or `contributor.funder` to hold this information comment out or remove the following section:

```
<!-- description.sponsorship: default input field for Sponsor
information  -->
     <field>
```

```
        <dc-element>description</dc-element>
        <dc-qualifier>sponsorship</dc-qualifier>
        <repeatable>true</repeatable>
        <label>Sponsors</label>
        <input-type>textarea</input-type>
        <hint> Enter the name of a sponsor/funding body in the box
below. </hint>
        <required></required>
      </field>
```

And activate/uncomment the following section(s):

```
<!-- contributor.sponsor: alternative input field for Sponsor
information
      <field>
        <dc-element>contributor</dc-element>
        <dc-qualifier>sponsor</dc-qualifier>
        <repeatable>true</repeatable>
        <label>Sponsors</label>
        <input-type>textarea</input-type>
        <hint> Enter the name of a sponsor/funding body in the box
below. </hint>
        <required></required>
      </field>
 -->

 <!-- contributor.funder: alternative input field for Sponsor
information
      <field>
        <dc-element>contributor</dc-element>
        <dc-qualifier>funder</dc-qualifier>
        <repeatable>true</repeatable>
        <label>Sponsors</label>
        <input-type>textarea</input-type>
        <hint> Enter the name of a sponsor/funding body in the box
below. </hint>
        <required></required>
      </field>
 -->
```

Form-value-pairs

This section is enclosed by the `<form-value-pairs>` … `</form-value-pairs>` tag. You will need to define 4 sets of value-pairs for:

- `ethos_institution`
- `ethos_levels`
- `ethos_names`
- `ethos_types`

ethos_institution

This defines the name of the institution(s) awarding degrees. In following xml fragment, replace *Insert institution name here* with the name of the awarding institution and paste into `input-forms.xml` just before the closing `</form-value-pairs>` tag:

```
   <value-pairs value-pairs-name="ethos_institution" dc-
term="publisher">
      <pair>
        <displayed-value>Insert institution name here</displayed-
value>
        <stored-value>Insert institution name here</stored-value>
      </pair>
      <pair>
        <displayed-value></displayed-value>
        <stored-value></stored-value>
      </pair>
   </value-pairs>
```

ethos_levels

This defines the levels of postgraduate degrees being awarded. In following xml fragment, create as many `<pair></pair>` sets as required inside the `<value-pairs></value-pairs>` tags (one for each degree level), replacing *Insert degree level here* with the actual level of awarded degree and paste into `input-forms.xml` just before the closing `</form-value-pairs>` tag. EThOS will only harvest records pertaining to 'Doctoral' degrees, so the first entry should be left as is:

```
   <value-pairs value-pairs-name="ethos_levels" dc-
term="type.qualificationlevel">
      <pair>
        <displayed-value>Doctoral</displayed-value>
        <stored-value>Doctoral</stored-value>
      </pair>
      <pair>
        <displayed-value>Insert degree level here</displayed-value>
        <stored-value>Insert degree level here</stored-value>
      </pair>
   </value-pairs>
```

ethos_names

This defines the names of postgraduate degrees being awarded. In following xml fragment, create as many `<pair></pair>` sets as required inside the `<value-pairs></value-pairs>` tags (one for each degree name), replacing *Insert degree name here* with the actual level of awarded degree, e.g. PhD or EngD, and paste into `input-forms.xml` just before the closing `</form-value-pairs>` tag:

```
   <value-pairs value-pairs-name="ethos_names" dc-
term="type.qualificationname">
      <pair>
        <displayed-value>Insert degree name here</displayed-value>
        <stored-value>Insert degree name here</stored-value>
      </pair>
      <pair>
        <displayed-value>Insert degree name here</displayed-value>
        <stored-value>Insert degree name here</stored-value>
      </pair>
   </value-pairs>
```

ethos_types

This defines the resource type which is, by definition, 'thesis or dissertation'. Paste the following xml fragment into `input-forms.xml` just before the closing `</form-value-pairs>` tag:

```
<value-pairs value-pairs-name="ethos_types" dc-term="type">
  <pair>
    <displayed-value>Thesis or dissertation</displayed-value>
    <stored-value>Thesis or dissertation</stored-value>
  </pair>
  <pair>
    <displayed-value></displayed-value>
    <stored-value></stored-value>
  </pair>
</value-pairs>
```

Deploying your custom form

Save your new `input-forms.xml`, transfer it to the `config` directory of DSpace home and restart Tomcat (or whatever servlet container you are using) for changes made to take effect.