

# UCT terms of data deposit

The University of Cape Town seeks to ensure consistent research practice related to data management principles that support effective data sharing, including open access and the need for data to be discoverable, accessible, reusable and interoperable to specific quality standards.

The following terms and conditions should be considered prior to deposit on figshare or other data repository to determine the necessary limits on openness particularly relating to personal information and commercial considerations. Such terms and conditions are provided to assist researchers in achieving compliance with contractual requirements of funders and/or scholarly publishing.

## Research Data

In terms of the UCT Intellectual Property (IP) Policy, UCT is the legal owner of research data emanating from research done by its researchers.

UCT grants the Principal Investigator (PI) of a research project the right to upload UCT research data supporting a publication required by a journal publisher or a funder and all UCT project data where this is a specific funder requirement, as long as the data complies with any ethics requirements (e.g. patient confidentiality, consent, etc.). Where a data set has been created in conjunction with researchers outside of UCT, the necessary permission(s) should be sought from the relevant institutions by the PI, prior to the upload of data.

Where data may not be shared publicly (e.g. due to ethical consideration), controlled access should be applied on figshare.

## Software

In terms of the UCT IP Policy, UCT is the legal owner of software emanating from research done by its researchers. UCT grants permission for software created by UCT researchers required by a journal to support a publication or by a funder to be published under Creative Commons license.<sup>1</sup> It is the Principal Investigator's responsibility to ensure that the license selected is not in conflict with other open source license(s) that may govern code included in the software. If a conflict exists an appropriate alternative software distribution platform should be selected.

## Other Copyright Materials

Other than for specifically commissioned works, in terms of the UCT IP Policy, UCT automatically assigns the rights to IP creator(s). These works include material such as video

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<sup>1</sup> Creative Commons: (<https://creativecommons.org/licenses/>)

clips, recordings, figures, drawings, designs and diagrams, written material (e.g. a full paper if desired/permitted, or notes)

In making the deposit, the depositor confirms that:

- they are the sole rights holder and/or they have received the right/permission from the rights holder(s) to publish the materials, i.e.:
  - if the depositor is not the copyright holder and the material is copyrighted, the depositor acknowledges that they have received permission from the rights holder to publish the copyright material openly and have adhered to the conditions under which the copyright holder has granted publication rights. e.g. acknowledged the original creator of the work and/or licensed the work under specified conditions
  - where the depositor is not the sole IP creator, that written permission approving the deposit has been received from all the IP creators, and in the case of video material that the necessary image releases have been obtained from people appearing in the videos
- the material is not offensive, false, defamatory, pornographic, nor in breach of any law
- the material does not contain confidential, or sensitive, human subject-related information, unless such information is adequately protected and/or coded/encrypted as per conditions determined by the approving research ethics committee.
- the material does not contain commercial information without written proof of their authority to do so.

UCT may take down any publication without notice if any of the items contained within the publication are in breach of any of the above, or:

- if the data includes work that is found to be fraudulent, falsified, plagiarised or against the FAIR principles of Open Science<sup>2</sup>
- the depositor has requested to have the data removed from the repository provided that the request is accompanied by a reasonable motivation approved by the Research Data Management Governance Committee in terms of its mandate to approve exceptions to the public release of data for legal, ethical and commercial reasons
- If UCT or the depositor choose to remove the data removed from the repository, the metadata may be retained in the repository in order to trace the original DOI and indicate that the removal was deliberate. Furthermore, UCT may retain a copy of the data for archival and reference purposes
- UCT recommends that the depositor makes use of a Creative Commons license to ensure appropriate reuse of their work, while still enabling open science. More information about Creative Commons licensing [here](#) and figshare licensing options [here](#).
- These terms do not exclude any terms and conditions laid out in the following UCT policies, as well as national copyright laws:
  - [Intellectual Property Policy](#) (2011)

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<sup>2</sup> Wilkinson, M. D., Dumontier, M., Aalbersberg, I. J., Appleton, G., Axton, M., Baak, A., ... & Bouwman, J. (2016). The FAIR Guiding Principles for scientific data management and stewardship. *Scientific Data*, 3, 160018.

- [Open Access Policy](#), (2014)
- [Research Data Management Policy](#), (draft)