



RIGHTS MANAGEMENT FRAMEWORK (VERSION 1)

DEPUTY DIRECTOR, COLLECTIONS DEVELOPMENT
MANAGER AND ARCHIVES MANAGER

ARCHAEOLOGY DATA SERVICE

<https://archaeologydataservice.ac.uk/>

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1. Purpose of this document

- 1.0.1. This document outlines the framework for managing intellectual property and data protection rights associated with datasets deposited and curated by the Archaeology Data Service (ADS). As such this framework documents current policy and practice for the creation, maintenance and, where necessary, the appropriate disposal of datasets and supporting metadata.

2. Introduction

- 2.0.1. This document provides a framework and policy that guides the work of the ADS with regard to rights management, providing a resource for use by all repository staff, depositors and data consumers.
- 2.0.2. Access to accurate, reliable and accessible rights information ensures effective citation and ongoing reuse of resources, but also facilitates the internal management of datasets. As [a certified and trusted data repository](#).¹ The ADS is a keen advocate for the [FAIR principles of data stewardship](#), as such it is committed to making its holdings findable, accessible, interoperable and reusable allowing its user community to maximise resource reuse for research, teaching or learning.²
- 2.0.3. This document is guided, makes reference and adheres to the following legislative framework:
- [Copyright, Designs and Patents Act \(1988\)](#)³
 - [Intellectual Property Act \(2014\)](#)⁴
 - [The Intellectual Property \(Copyright and Related Rights\) \(Amendment\) \(EU Exit\) Regulations \(2019\)](#)⁵
 - [Berne Convention for the Protection of Literary and Artistic Works \(1979\)](#)⁶
 - [Data Protection Act \(2018\)](#)⁷
- 2.0.4. This document should also be used with reference, and in conjunction with, wider guidance and documentation including:

¹ See Accreditation, <https://archaeologydataservice.ac.uk/about/accreditation.xhtml>, accessed 17 July 2020.

² That is making data Findable, Accessible, Interoperable, and Reusable, see Wilkinson, M., Dumontier, M., Aalbersberg, I. *et al.* 'The FAIR Guiding Principles for scientific data management and stewardship'. *Sci Data* **3**, 160018 (2016) doi: <https://doi.org/10.1038/sdata.2016.18>.

³ <https://www.legislation.gov.uk/ukpga/1988/48/contents>, accessed 20 July 2020.

⁴ <https://www.legislation.gov.uk/ukpga/2014/18/contents/enacted>, accessed 20 July 2020.

⁵ <https://www.legislation.gov.uk/ukxi/2019/605/contents/made>, accessed 20 July 2020.

⁶ <https://wipolex.wipo.int/en/text/283693>, accessed 17 July 2020.

⁷ <https://www.legislation.gov.uk/ukpga/2018/12/contents/enacted>, accessed 20 July 2020.

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- [Intellectual property](#)⁸
- Copyright: A Practical Guide⁹
- [Intellectual property: Copyright](#)¹⁰
- [Copyright Notice: digital images, photographs and the internet](#)¹¹
- [Copyright for Museums & Galleries](#)¹²
- [Guide to the General Data Protection Regulation \(GDPR\)](#)¹³

2.0.5. The ratification of the European Union (Withdrawal Agreement) Act (2020), marks the UK departure from the EU on 31 January 2020, and sees the beginning of a transition period (1 February 2020 to 31 December 2020). During this period EU law will continue to operate as it does now in the UK and, as such, the Intellectual Property (IP) system will continue as it is until 31 December 2020, with no changes to the UK system during this transition period. As such, the ADS continues to monitor the situation and follow guidance provided by the UK Government.

- [Intellectual property and the transition period](#)¹⁴
- [Changes to copyright law from 1 January 2021](#)¹⁵

3. Governance and responsibility

3.0.1. Maintenance and application of the Rights Management Framework rests with the repository management team, including the Director and Deputy Director, who ensure

⁸ Intellectual Property Office (nd) *Intellectual Property*. UK Government: Newport.
<https://www.gov.uk/topic/intellectual-property>, accessed 17 July 2020.

⁹ Korn N and McKenna G (2017) *Copyright: A Practical Guide*. Collections Trust: London.

¹⁰ Intellectual Property Office (nd) *Intellectual property: Copyright*. UK Government: Newport.
<https://www.gov.uk/topic/intellectual-property/copyright>, accessed 17 July 2020.

¹¹ Intellectual Property Office (2015) *Copyright Notice: digital images, photographs and the internet*. UK Government: Newport.
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/481194/c-notice-201401.pdf, accessed 17 July 2020.

¹² Korn, N (nd) *Copyright for Museums & Galleries*. Copyright User: Unknown.
<https://www.copyrightuser.org/educate/intermediaries/museums-and-galleries/>, accessed 17 July 2020.

¹³ Information Commission Office (nd) *Guide to the General Data Protection Regulation (GDPR)*. Information Commission Office: Wilmslow.
<https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/>, accessed 17 July 2020.

¹⁴ <https://www.gov.uk/government/news/intellectual-property-and-the-transition-period>, accessed 20 July 2020.

¹⁵ <https://www.gov.uk/guidance/changes-to-copyright-law-after-the-transition-period>, accessed 20 July 2020.

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that copyright and intellectual property rights are effectively managed and appropriately communicated to other repository staff, placements and volunteers.

- 3.0.2. The work of the ADS is overseen by the ADS' Management Committee, and where necessary repository staff can refer to this group for guidance and assistance in establishing and maintaining appropriate rights for its collections and resources.
- 3.0.3. As part of the University of York the ADS is also subject to the [legal statements](#)¹⁶ and [University Information Policy](#)¹⁷ and the audience's and regulations therein. The University of York is the legal entity for all services, consultancy and other contracts carried out by the ADS.
- 3.0.4. The ADS maintains its own [Information Security Risk Assessment](#)¹⁸ and [Security Overview](#)¹⁹, and repository staff must undertake mandatory training in data protection in compliance with extant legislation (General Data Protection Regulation and Data Protection Act (2018)). These are subject to annual renewal. The ADS is also governed by the [Information Security Policies](#)²⁰ of its host institution, the University of York.

4. Rights Ownership and Licencing

4.0. Licencing

- 4.0.1. All collections curated by the ADS are subject to an archive level deposit licence that has been designed to protect the rights of depositors, users and the repository. Details of the rights and responsibilities of the repository and depositor are clearly outlined in the [deposit agreement](#).²¹ All depositions **must** be accompanied by a 'signed' deposit licence in order to formally acknowledge the rights and responsibilities of both depositor and repository.
- 4.0.2. This deposit licence, signed by both the depositor and the ADS at the time of ingest, "provides the legal permissions and warranties needed to allow the ADS to preserve, and make accessible in a variety of formats and media, the deposited material ([Section 1.2](#)).²¹ As such the ADS makes no claim of ownership or copyright of datasets that it

¹⁶ <https://www.york.ac.uk/about/legal-statements/>, accessed 21 July 2020.

¹⁷ *University Information Policy* -

<https://www.york.ac.uk/about/departments/support-and-admin/information-services/information-policy/index/>, accessed 20 July 2020.

¹⁸ *Information Security Risk Assessment* -

<https://archaeologydataservice.ac.uk/advice/PolicyDocuments.xhtml#ITRisk>, accessed 20 July 2020.

¹⁹ *Security Overview* - <https://archaeologydataservice.ac.uk/advice/PolicyDocuments.xhtml#Security>, accessed 20 July 2020.

²⁰ *Information Security Policies* -

<https://www.york.ac.uk/about/departments/support-and-admin/information-services/information-policy/index/information-security-policy/#tab-1>, accessed 21 July 2020.

²¹ A sample deposit licence is available -

https://archaeologydataservice.ac.uk/resources/attach/ADS_Deposit_Licence_2018.pdf, accessed 21 July 2020. With additional guidance for depositors provided through the 'Guidelines for Depositors' - <https://archaeologydataservice.ac.uk/advice/guidelinesForDepositors.xhtml>, accessed 20 July 2020.

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curates, while any associated intellectual rights are maintained by the data creator/owner. The deposit agreement merely provides the repository with a non-exclusive right to hold and disseminate data on behalf of the depositor/data owner.

- 4.0.3. The deposit agreement “grants a non-exclusive licence... to the ADS for the duration of this agreement for preservation, curation, dissemination and for such use as the ADS deems appropriate in accordance with the terms of this agreement” (Section 3.1).
- 4.0.4. It also gives the repository the right to “distribute copies of the Data Collection in a variety of media formats” (Section 3.1.1), “catalogue, enhance, validate and document the Data Collection” (Section 3.1.3), “electronically store, translate, copy, or re-arrange the Data Collection to ensure its future preservation and accessibility” (Section 3.1.4) and carry out similar activities to discharge its principle responsibilities as a digital archive.
- 4.0.5. While the ADS acknowledges its obligation “to protect and curate the Data Collection” (Section 5.1.1). The specific arrangement for the licence under which the data is disseminated are defined in Annex B of the deposit agreement, but data is typically distributed under [Attribution 4.0 International \(CC BY 4.0\)](#) terms.²²
- 4.0.6. Between 1996 and 2018 the ADS held and disseminated data under a slightly different, non-exclusive, repository specific [deposit licence](#).²³
- 4.0.7. All licensing information is documented within the ADS’ *Collections Management System* (CMS)²⁴ and clearly referenced in each archive interface.
- 4.0.8. In instances where the depositor or data owner is unable, or unwilling, to accept the terms of the deposit agreement then the data cannot be accepted by the repository. In those instances where data, and metadata associated with a collection, have already been submitted, that data will be removed from ADS systems and any media returned to the depositor.

4.1. Rights management

- 4.1.1. All datasets deposited with the ADS are [accompanied by metadata](#) that identifies and acknowledges any rights holders associated with the dataset.²⁵ This ensures that the repository can maintain a clear record of all rights holders associated with a dataset. All metadata is transferred to the ADS’ *Collections Management System* (CMS) and *Object Metadata System* (OMS) where it can be effectively managed and preserved.²⁴

²² <https://creativecommons.org/licenses/by/4.0/>, accessed 21 July 2020.

²³ Deposit Licence (pre-2018) - http://archaeologydataservice.ac.uk/resources/attach/ads_licence_form.pdf, accessed 20 July 2020.

²⁴ These systems are available for internal access only.

²⁵ For example, creator, licence and copyright holders, etc. - https://archaeologydataservice.ac.uk/resources/attach/ADS_collection_level_metadata_template.docx, accessed 21 July 2020.

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- 4.1.2. All rights information is clearly displayed within the archive interface for each discrete collection, and where necessary within file-level metadata disseminated alongside data.
- 4.1.3. As noted above, all repository staff undergo appropriate training to ensure that all personal information and data is maintained according to current legislation.²⁶

4.2. Sensitive data

- 4.2.1. The ADS maintains a [Policy and Guidance on the Deposition of Sensitive Digital Data](#)²⁷ and will only accept personal, confidential and sensitive data for deposit and immediate dissemination either when it is anonymised and/or when it is accompanied with written consent from the contributor, in line with current ethical and legislative standards within the archaeological and heritage communities. This policy can be used in conjunction with wider [Guidance on the Selection of Material for Deposit and Archive](#), which provides general advice on the selection and retention of data for archiving.²⁸
- 4.2.2. Ethical and legal concerns for a dataset are generally identified and discussed by the Collections Development Manager (CDM) during any negotiations for the deposition of data, and often in advance of data capture. In this way the intention is to help depositors plan for deposition and mitigate against future difficulties which are often hard to redress after data collation has been completed. In these instances depositors are directed towards the ADS' Guidance on the [Selection of Material for Deposit and Archive](#)²⁸ and [Policy and Guidance on the Deposition of Sensitive Digital Data](#).²⁷ Checks are also made by repository staff during the [accession of a dataset](#)²⁹ and any data evidencing a disclosure risk, or breaching the Policy and Guidance on the Deposition of Sensitive Digital Data, are highlighted to the depositor. The depositor is then given an opportunity to address these concerns.
- 4.2.3. If the depositor is unable to supply suitably anonymised versions, or to add appropriate documentation which authorises the ADS to hold and disseminate the data then, typically, the ADS would refuse to accept the affected part, or even the entire dataset. As an additional legal safeguard, all depositors signing the ADS [deposit licence](#) acknowledge that “the Data Collection is not and shall be in no way a violation or infringement of any copyright, trademark, patent, or other rights whatsoever of any person”.²¹
- 4.2.4. In those instances where a dataset is believed to contain sensitive or confidential information, a depositors can opt to ‘embargo’ data for a prescribed period, typically this is for 2-5 years where the disclosure risk is regarded as ‘low’, although in instances

²⁶ For example, *General Data Protection Regulation and Data Protection Act (2018)* training.

²⁷ *Policy and Guidance on the Deposition of Sensitive Digital Data* - <https://archaeologydataservice.ac.uk/advice/sensitiveDataPolicy.xhtml>, accessed 21 July 2020.

²⁸ *Guidance on the Selection of Material for Deposit and Archive* - <https://archaeologydataservice.ac.uk/advice/selectionGuidance.xhtml>, accessed 21 July 2020.

²⁹ See *Ingest Manual* - <https://archaeologydataservice.ac.uk/advice/PolicyDocuments.xhtml#Ingest>, specifically section on Documentation and Integrity Check, accessed 21 July 2020.

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where the risk is ‘high’, or where the dataset contains personal or identifiable data, longer embargoes of up to 70 years can be arranged. These policies are outlined in the [Collections Policy](#),³⁰ and more specifically the [Policy and Guidance on the Deposition of Sensitive Digital Data](#) (see especially sections on ‘data embargo’s and ‘embargo periods’).²⁷

- 4.2.5. Any data that exhibits a disclosure risk, and/or has been the subject of an embargo, is stored on separate data servers with restricted access until any risk has been mitigated, or the embargo period has passed.

4.3. Collection of personal data

- 4.3.1. Some services maintained by the repository, specifically [OASIS](#)³¹ and [ADS-easy](#)³², require the collection of personal information to facilitate the effective use of these services, and the future management of collections and datasets. Full details of this activity are outlined and documented in the [Privacy Policy](#)³³, which includes details on how this information is collected, stored and shared. As part of the University of York the ADS is also governed by the [legal statements](#)³⁴ and [Information Security Policies](#)³⁵ of its host institution.
- 4.3.2. At the same time, use of the [ADS website](#)³⁶ and these associated services are governed by the ADS’ [Website Terms and Conditions](#).³⁷ The ADS website, and its related systems, use a small number of cookies to improve functionality, but a small number also collect data on website usage. A full list of these cookies and their usage can be found in the [Cookies Policy](#).³⁸

5. Rights use and reuse

- 5.0.1. All access and use of resources held by the ADS are governed by a legal and regulatory framework that includes:
- a [deposit licence](#) for each resource²¹

³⁰ *Collections Policy* - <https://archaeologydataservice.ac.uk/advice/collectionsPolicy.xhtml>, section 2.9, accessed 20 July 2020.

³¹ OASIS - <https://oasis.ac.uk/pages/wiki/Main>, {requires registration}, accessed 22 July 2020.

³² ADS-easy - <https://archaeologydataservice.ac.uk/easy/>, {requires registration}, accessed 22 July 2020.

³³ *Privacy Policy* - <http://archaeologydataservice.ac.uk/advice/Privacy.xhtml>, accessed 22 July 2020.

³⁴ See <https://www.york.ac.uk/about/legal-statements/>, accessed 22 July 2020.

³⁵

<https://www.york.ac.uk/about/departments/support-and-admin/information-services/information-policy/index/information-security-policy/#tab-1>, accessed 22 July 2020.

³⁶ ADS website - <https://archaeologydataservice.ac.uk/>, accessed 22 July 2020.

³⁷ *Website Terms and Conditions* -

<https://archaeologydataservice.ac.uk/advice/WebsiteTerms.xhtml>, accessed 22 July 2020.

³⁸ *Cookies Policy* - <https://archaeologydataservice.ac.uk/about/Cookies.xhtml>, accessed 22 July 2020.

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- a [copyright and liability statement](#)³⁹
 - a [common access agreement](#)⁴⁰
 - [terms of use and access](#) to data⁴¹
 - [website terms and conditions](#)³⁷
- 5.0.2. Through this framework the ADS supports the [proper preservation](#), use and reuse of its holdings.⁴²
- 5.0.3. All ADS collections, resources and datasets are disseminated through the [ADS website](#).³⁶ Access to ADS resources is free at the point of use to all data consumers wishing to use resources for research and educational purposes. The [deposit licence](#), 'signed' by both the depositor and the repository, outlines the rights of individuals and organisational rights holders.²¹ Within the deposit licence, the depositor explicitly states the terms of access and reuse under which the dataset is disseminated. The repository ensures that clear licencing information on the terms and conditions of use, by which the dataset is disseminated, are clearly displayed within the archive interface.⁴³
- 5.0.4. As supporters of the FAIR data principles the ADS is committed to ensuring that its collections are findable, accessible, interoperable and reusable for data consumers as means to support data reuse for research, teaching or learning. As a result the ADS ensures that all data collections deposited with the repository are accompanied by appropriate metadata that includes information that acknowledges the rights holders for each dataset, this information is clearly displayed within the web interface for each discrete resource.⁴⁴
- 5.0.5. The repository encourages the use of appropriate, sustainable citation for all resources as a means to support both data creators and consumers. To facilitate this the ADS uses [Digital Object Identifiers](#) (DOIs)⁴⁵, to support data reuse, and provide tenable links

³⁹ *Copyright and Liability Statement* -

<https://archaeologydataservice.ac.uk/advice/termsOfUseAndAccess.xhtml#CopyrightAndLiabilityStatement>, accessed 22 July 2020.

⁴⁰ *Common Access Agreement* -

<http://archaeologydataservice.ac.uk/advice/termsOfUseAndAccess.xhtml#CommonAccessAgreement>, accessed 22 July 2020

⁴¹ *ADS Terms of use and Access to Data* -

<https://archaeologydataservice.ac.uk/advice/termsOfUseAndAccess.xhtml>, accessed 22 July 2020.

⁴² A fuller discussion is available in the *Preservation Policy*, specifically section 7.4 *Access and use* - <https://archaeologydataservice.ac.uk/advice/PolicyDocuments.xhtml#PresPol>, accessed 22 July 2020.

⁴³ For Archive collections this is clearly displayed in the left sidebar of the resource e.g. 'This work is licensed under a Creative Commons Attribution 4.0 International License'. For individual records within the Library, the licence statement is displayed immediately below the download link,

⁴⁴ This rights information is clearly displayed in the title and sidebar of the archive interface, with clear statements on data creators, copyright holders, etc., for each collection. Additional rights information may also be displayed in the 'metadata' section of each resource.

⁴⁵ See <https://www.doi.org/faq.html>, accessed 22 July 2020.

between formal publication, resources and datasets. To facilitate appropriate referencing of collections clear instruction is provided in the ‘How to cite using this DOI’ section of each archive interface.⁴⁶ The ADS also facilitates referencing through the use of other non proprietary, sustainable referencing systems, including [ORCID](#).⁴⁷

5.1. Resource discovery

- 5.1.1. The repository works to promote data reuse amongst its community. The repository actively engages with users informally through its [newsletter](#)⁴⁸, [blog](#)⁴⁹ and, particularly, using social media⁵⁰ using these platforms to publicise resources and promote data reuse. Such sharing activities are covered by the terms of ‘deposit licence’.
- 5.1.2. The ADS [surfaces its collection and file-level metadata](#) through its own indexes, systems and a number of external resources and data portals within the UK and Europe.⁵¹ In each instance the repository ensures that appropriate rights management standards are adhered to as stated in Section 3.2 of the Deposit Licence: “The Depositor grants the ADS a non-exclusive, worldwide licence, with the right to grant sublicences, to the Metadata relating to the Data Collection, for the duration of this Agreement for preservation, dissemination and for such use as the ADS deems appropriate.”
- 5.1.3. Such activities only involve the sharing of metadata, as opposed to actual data, created by the repository.

6. Resource management and systems

6.0. Systems

- 6.0.1. The ADS uses a multi-model, Oracle database management system for both its *Collections Management System* (CMS) and *Object Metadata System* (OMS) systems²⁴, with a bespoke Java-based graphical user interface, to facilitate the management and documentation of all datasets and resources. As such this system has been integrated within ADS workflows.⁵² Through these systems the repository

⁴⁶ This is accessible from the sidebar of each archive or resource.

⁴⁷ ORCID - <https://orcid.org/>, accessed 17 August 2020. All individuals (data creators, copyright holders, etc) utilised the ORCID system are asked to submit their ids within the metadata. These are displayed as ‘links’ within archive interfaces.

⁴⁸ *ADS Newsletter* - <https://archaeologydataservice.ac.uk/about/newsletter.xhtml>, accessed 22 July 2020.

⁴⁹ *Sound Bytes from the ADS* - <http://archaeologydataservice.ac.uk/blog/>, accessed 22 July 2020.

⁵⁰ *Facebook* - <https://www.facebook.com/archaeology.data.service/>, *Twitter* - https://twitter.com/ADS_Update and https://twitter.com/ADS_Chatter, etc..

⁵¹ These are outlined in the *Preservation Policy*, specifically section 7.4 *Access and use* - <https://archaeologydataservice.ac.uk/advice/PolicyDocuments.xhtml#PresPol>, accessed 22 July 2020.

⁵² These workflows are detailed in the *Preservation Policy* (<https://archaeologydataservice.ac.uk/advice/PolicyDocuments.xhtml#PresPol>) and *Ingest Manual*

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ensures that appropriate records of all rights holders are maintained and ensures a clear data trail is maintained for each collection.

- 6.0.2. The CMS provides a portal through which repository staff can engage with the OMS, which stores file and object specific metadata and rights information. As such, the OMS facilitates the rights management at a more granular level for discrete digital ‘objects’ and files within each collection or resource.
- 6.0.3. Repository systems and services are protected with appropriate permissions granted to staff on a needs basis, with appropriate levels of access relevant to their working practices. Access is restricted using IP address, encrypted passwords and multi-factor authentication.⁵³

6.1. Staff

- 6.1.1. While all repository staff maintain a basic understanding of rights management with regard to the collections and resources it curates, it is the responsibility of the CDM, with the support of Digital Archivists and Trainee Digital Archivists, to ensure that procedures and workflows, are understood, documented and managed appropriately. As the role responsible for the negotiation and management of future depositions the CDM will identify and highlight concerns with regard to rights issues or problems prior to the submission of data.⁵⁴ Additionally repository staff may highlight concerns over rights at any point in the accession, preservation and checking workflow.⁵⁵
- 6.1.2. In instances where repository staff are unable to resolve rights issues they may seek advice from the ADS’ Management Committee.⁵⁶
- 6.1.3. Where rights are unclear, or issues cannot be resolved, the repository may refuse to accept the parts of the dataset affected, or even the entire collection.

7. Safeguarding

- 7.0.1. As outlined previously the ADS makes no claim of ownership or copyright of those datasets that it curates and disseminates. All associated intellectual rights are maintained by the data creator and/or data owner.

(<https://archaeologydataservice.ac.uk/advice/PolicyDocuments.xhtml#Ingest>), accessed 22 July 2020.

⁵³ Further detail on access and security are available in the *Security Overview* (<https://archaeologydataservice.ac.uk/advice/PolicyDocuments.xhtml#Security>) and *Information Security Risk Assessment*

(<https://archaeologydataservice.ac.uk/advice/PolicyDocuments.xhtml#ITRisk>). As part of the University of York the repository adheres to the security policies and guidance outlined by its parent organisation (see *IT Security* - <https://www.york.ac.uk/it-services/security/>), accessed 22 July 2020.

⁵⁴ See, for example, section 4.3 *Sensitive Data*, above.

⁵⁵ A fuller discussion of this workflow is available in the *Ingest Manual* - <https://archaeologydataservice.ac.uk/advice/PolicyDocuments.xhtml#Ingest>, accessed 22 July 2020.

⁵⁶ See section 3. Governance and responsibility, above.

- 7.0.2. The repository ensures that rights information for all datasets and resources are clearly defined and consistently presented within the appropriate archive interface. Any additional, or more nuanced rights for individual files or digital objects are expressed in the accompanying metadata.⁵⁷ Data users are provided with instruction on the appropriate citation standard promoted by the repository.⁵⁸
- 7.0.3. As a legal safeguard, depositors signing the ADS [deposit licence](#) acknowledge that “the Data Collection is not and shall be in no way a violation or infringement of any copyright, trademark, patent, or other rights whatsoever of any person”.²¹
- 7.0.4. Any infringement to ownership, copyright or intellectual property rights should be reported to the repository and appropriate steps taken. These steps are outlined below in Section 10 of this document.⁵⁹

8. Access

- 8.0.1. All repository resources and datasets are freely accessible through the ADS website³⁶.
- 8.0.2. The terms of access and dissemination for each dataset are defined in Annex B of the [deposit licence](#),²¹ alongside [Copyright and Liability Statements](#)³⁹, the [Common Access Agreement](#)⁴⁰, the [ADS Terms of use and access to Data](#)⁴¹ and the [Website Terms and Conditions](#).³⁷ These terms are clearly outlined in the archive interface.
- 8.0.3. In rare instances the ADS may be asked to restrict access to all, or part, of a dataset. Such restrictions are generally short-term, typically 3-5 years, and often associated with the release and sale of physical publications.⁶⁰
- 8.0.4. Datasets containing sensitive or confidential information then depositors can be ‘embargoed’ for a prescribed period, typically this is for 2-5 years where the disclosure risk is regarded as ‘low’. In instances where the risk is ‘high’, or where the dataset contains personal or identifiable data, embargoes of up to 70 years can be arranged. These policies are outlined in the [Collections Policy](#)⁶¹, and more specifically the [Policy and Guidance on the Deposition of Sensitive Digital Data](#).⁶² Any data that exhibits a disclosure risk, and/or has been the subject of an embargo, is stored on data servers

⁵⁷ This is either expressed within the archive interface, or displayed in the separate, downloadable metadata file accompanying the discreet digital object.

⁵⁸ This expressed in the ‘How to cite this DOI’ link within the archive interface.

⁵⁹ See Section 10. *Reporting rights infringements*.

⁶⁰ See, for example, Society of Antiquaries of Scotland (2020) *The Society of Antiquaries of Scotland [data-set]*. York: Archaeology Data Service [distributor] <https://doi.org/10.5284/1000184>, where access is restricted to Society members for a period.

⁶¹ See *Collections Policy* - <https://archaeologydataservice.ac.uk/advice/collectionsPolicy.xhtml>, section 2.9, accessed 24 July 2020.

⁶² See *Policy and Guidance on the Deposition of Sensitive Digital Data*, sections on ‘data embargos’ and ‘embargo periods’, <http://archaeologydataservice.ac.uk/advice/sensitiveDataPolicy.xhtml>, accessed 24 July 2020.

with restricted access until any risk has been mitigated, or the embargo period has passed.

- 8.0.5. All non-published datasets and services are subject to restricted access, with permissions granted to repository staff on a needs basis, with appropriate levels of access relevant to their role and responsibilities. Access is also restricted using IP address, encrypted passwords and multi-factor authentication.⁵²

9. Citation of resources

- 9.0.1. The repository supports the use of appropriate, sustainable citation for all resources as a means to support use and reuse of its resources. The use of [DOIs](#) supports this goal⁴⁵, and provides sustainable links between print and digital publications, datasets and resources. These DOIs are assigned on a per dataset basis, but a more granular use of DOIs, supporting the referencing of discrete digital objects at the record/file basis is carried out in some instances.⁶³
- 9.0.2. To facilitate appropriate referencing of collections clear instruction is provided in the 'How to cite using this DOI' section of each archive interface.⁴⁶
- 9.0.3. The repository also encourages data depositors to include citations and references to related works and datasets where appropriate within the collection metadata. Where used the repository encourages the use of persistent identifiers that facilitate the long-term sustainability of these citations. In instances where these resources are digital the ADS provides links to these resources within the 'metadata' page for each digital archive.
- 9.0.4. As advocates for the [FAIR data principles](#)² the ADS seeks to provide the appropriate support the [use of appropriate citation](#) for its own, and other resources.⁶⁴

10. Reporting rights infringements

- 10.0.1. The repository respects the rights of all its data providers and users and endeavours to highlight problems and concerns about collections during the ingestion data and whilst works are carried out to preserve datasets. In those rare cases where problems or issues are identified by the rights holder, data consumers or website users, the ADS has a prescribed process for dealing with these [objections](#).⁶⁵

⁶³ For example, within the ADS Library where distinct grey literature reports are given unique DOIs - Bowden, M., (2016). 'Stonehenge Southern WHS Project: Vespasian's Camp, Amesbury, Wiltshire: analytical earthwork survey'. Swindon: English Heritage Research Department. <https://doi.org/10.5284/1042244>.

⁶⁴ For example see Guidance on how to Cite a Library record at <https://vimeo.com/427398545>, accessed 06 August 2020

⁶⁵ *Website Terms and Condition: Content Objections* - <https://archaeologydataservice.ac.uk/advice/WebsiteTerms.xhtml#Objections>, accessed 22 July 2020.

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- 10.0.2. The repository should be notified of any rights infringement in writing (email), with clear reference to the collection, part of the dataset, or file, that is believed to infringe your rights as creator, owner or copyright holder. This notification should include a statement on why the content is contentious and contact details for the complainant.
- 10.0.3. The repository will acknowledge receipt of the email within three working days, and once formal notification has been given the ADS will temporarily remove public access for any affected content, or the entire dataset. Repository staff will conduct a thorough review of the affected data and any metadata or documentation supplied by the depositor. The complainant will be notified within 7 working days of the outcome of this review, and if it is believed the objection has foundation then the ADS will notify the depositor of the terms of the objection, with the aim that resolution between complainant and data provider can be sought.
- 10.0.4. As, per the terms of the [deposit licence](#) (Section 4: Depositor's Rights and Undertaking), it is the responsibility the data depositor to make sure “that the Data Collection is not and shall be in no way a violation or infringement of any copyright, trademark, patent, or other rights whatsoever of any person”.²¹
- 10.0.5. Until a resolution can be reached the affected data will remain embargoed.