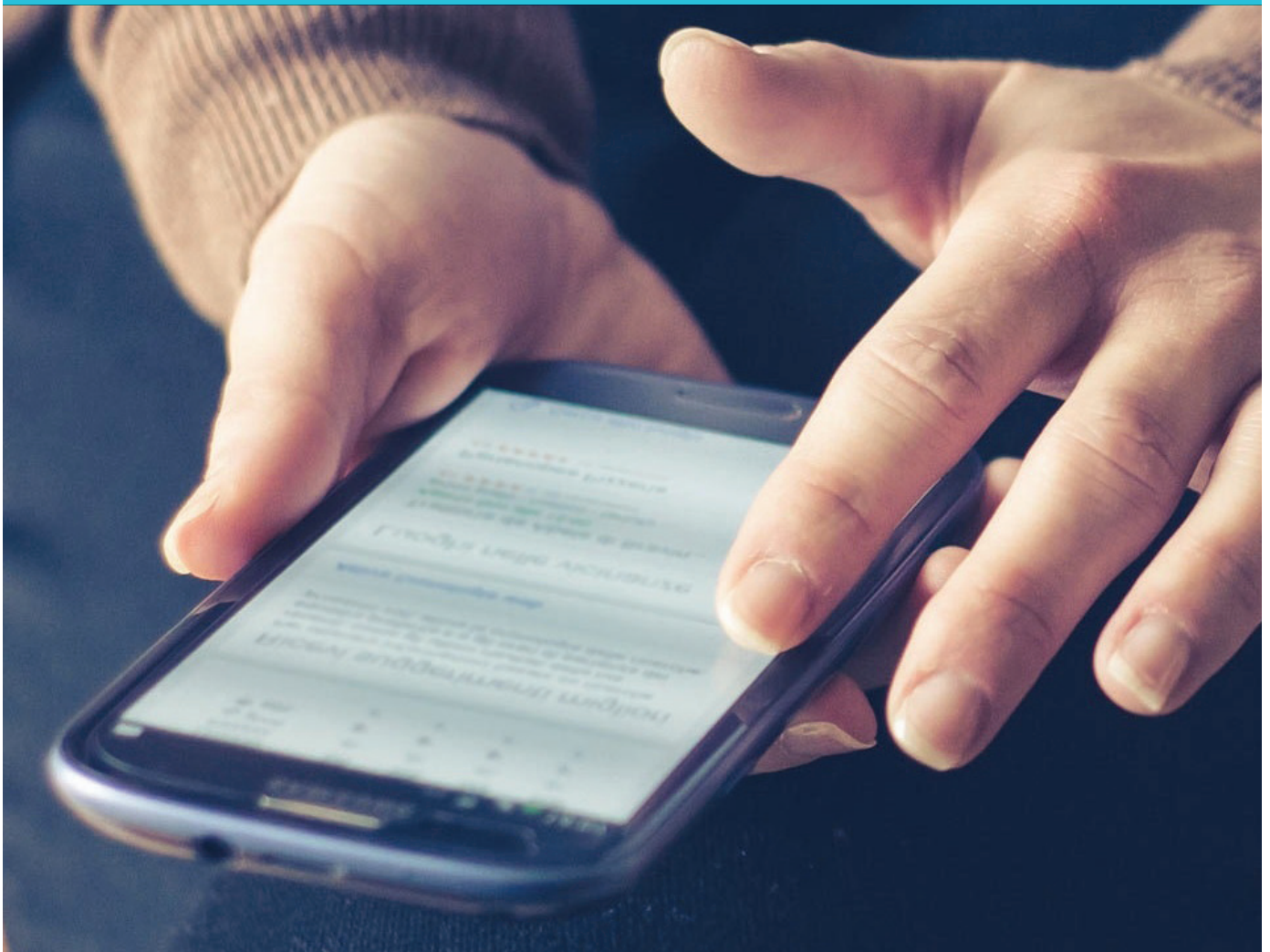




# Open Access Policy

November 2018



# Revision History

Date	Changes
January 2018	Published. See Section 2
November 2018	Minor updates to refer to new Code and clarify requirements around IP

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# 1. Introduction

NHMRC supports the sharing of outputs from NHMRC funded research including publications and data. The aims of the NHMRC Open Access Policy are to mandate the open access sharing of publications and encourage innovative open access to research data. This policy also requires that patents resulting from NHMRC funding be made findable through listing in Source IP.

Combined, these approaches will help to increase reuse of data, improve research integrity and contribute to a stronger knowledge economy. Open access will also assist with reporting, demonstration of research achievement, improve track record assessment processes for the long term and contribute to better collaborations.

All recipients of NHMRC grants must therefore comply with all elements of the NHMRC Open Access Policy.

The NHMRC Open Access Policy is consistent with the Australian Government's commitment to open access, open data and intellectual property (IP) management. This policy is also aligned with the global open access movement where funding bodies, international organisations, governments and institutions have implemented open access policies or guidelines. In Australia, the NHMRC Open Access Policy is generally aligned with the [Australian Research Council Open Access Policy 2017](#) and supports the overall intent of the [F.A.I.R. Access to Australia's Research Statement](#) through which data/information are made findable, accessible, interoperable and reusable.

Researchers and administering institutions are required to follow the principles of responsible research conduct and fulfil the responsibilities as outlined in the [Australian Code for the Responsible Conduct of Research](#) in all areas of research. The guidance as outlined in the [Ethical conduct in research with Aboriginal and Torres Strait Islander Peoples and communities: Guidelines for researchers and stakeholders \(2018\)](#) and [Keeping research on track II \(2018\)](#) must also be followed in all areas of research including managing and sharing data.

## 2. Key changes to the NHMRC Open Access Policy

The overall intent of this updated version of the NHMRC Open Access Policy (2018) remains substantively the same as the previous version of the policy. This version has been shortened and simplified and the language and guidance clarified through extensive external consultations. The key updates are as follows:

1. Research publications are now referred to as ‘Research literature’ and include peer-reviewed journal articles and conference papers.
2. NHMRC now strongly encourages researchers to take reasonable steps to share research data and associated metadata arising from NHMRC supported research.
3. NHMRC has a new requirement for patents generated from public funding to be listed in [Source IP](#).
4. Greater guidance in the area of sharing data and metadata has been provided.
5. Roles and responsibilities in relation to the NHMRC Open Access Policy have been clarified.
6. Guidance for licensing of research publications and data has been provided.
7. Reference to the [Australian F.A.I.R. principles](#) (Findable, Accessible, Interoperable, Reusable)<sup>1</sup> when publishing research literature and sharing data has been made.
8. The ‘*NHMRC Principles for Accessing and Using Publicly Funded Data for Health Research*’ have been removed from the NHMRC Open Access Policy, but are still referred to in the Open Access Policy—Further Guidance document on NHMRC’s website.

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<sup>1</sup> <https://www.fair-access.net.au/fair-statement> and <https://www.ands.org.au/working-with-data/fairdata>

# 3. Definitions

**Administering institutions:** Organisations responsible for administering NHMRC grant applications, awards, reporting and other aspects of grant management.

**Data/information:** The terms ‘data’ and ‘information’ are often used interchangeably. Data can refer to raw data, cleaned data, transformed data, summary data and metadata (data about data). It can also refer to research outputs and outcomes. Likewise, information takes many different forms. Where information is in a form that can identify individuals, protecting their privacy becomes a consideration. ‘Data’ is intended to refer to bits of information in their raw form, whereas ‘information’ generally refers to data that have been interpreted, analysed or contextualised.

Data and information may include but not be limited to:

- what people say in interviews, focus groups, questionnaires/surveys, personal histories and biographies;
- images, audio recordings and other audio-visual materials;
- records generated for administrative purposes (e.g. billing, service provision) or as required by legislation (e.g. disease notification);
- digital information generated directly by the population through their use of mobile devices and the internet;
- physical specimens or artefacts;
- information generated by analysis of existing personal information (from clinical, organisational, social, observational or other sources);
- observations;
- results from experimental testing and investigations; and
- information derived from human biospecimens such as blood, bone, muscle and urine.

**DOI:** Digital Object Identifier, a unique persistent identifier for a published digital object (report, publication, article) that is issued by the DOI Foundation and its authorised agencies.

**Institutional repository:** An online repository (usually hosted by an institution) that is publicly accessible in which the metadata of publications/data and the publications/data themselves can be stored, managed and preserved for the long term.

**Intellectual Property:** “Intellectual property is the property of your mind or proprietary knowledge. It is a productive new idea you create. This can be an invention, trade mark, design, brand or even the application of your idea”. (IP Australia, [www.ipaustralia.gov.au](http://www.ipaustralia.gov.au))

**Metadata:** Underlying information that describes other data. It generally helps the user to understand what the data are, where they can be found and how they can be used. See Appendices 1 and 2 for further clarification.

**NHMRC funded research:** Research activity that is funded under a NHMRC scheme.

**Open access/Openly accessible:** Refers to the availability of research outputs via the internet, such that any user can find, freely access, read, download, copy, distribute, print, search, link, crawl, mine and otherwise use and reuse the research outputs both manually and using automated tools. Any use or reuse is subject to full and proper attribution, and usually will have an appropriate licence, such as any of the options available through the Creative Commons suite of licences, and should not infringe any copyrights to third-party material included in the Research Output.

**ORCID:** Open Researcher and Contributor ID. ORCID is a persistent digital identifier that is unique to each individual. It is issued by [ORCID](http://ORCID).

**Paid open access program:** Where the authors for a paper pay an ‘article processing charge’ to the publisher to make their publication openly accessible. This is sometimes referred to as ‘gold’ open access.

**Patents:** “A patent is a legally enforceable right for a device, substance, method or process” (IP Australia, [www.ipaustralia.gov.au](http://www.ipaustralia.gov.au)).

**Postprint (or Author accepted manuscript):** The version of a manuscript that has been through the peer -review process of the publisher and has addressed the peer-reviewers’ comments. It is the final version of the paper before it is sent to the publisher for publication.

**Preprint:** The version of a manuscript as submitted to a journal or other publication. This version has not been through the publisher’s peer-review process.

**Publication:** Peer-reviewed journal articles and peer-reviewed conference papers.

**Publisher’s version:** The version of record that has been formatted by the publisher and published in its final form.

Further information on data management can be found in Chapter 3 of the [National Statement on Ethical Conduct in Human Research](#).

# 4. Research output and access

NHMRC's Open Access Policy addresses three output types:

1. Research literature
2. Research data
3. Patents.

## 4.1. Research literature

The Australian Government makes a major investment in health and medical research to improve the health and wellbeing of society. To maximise the benefits of NHMRC funded research, publications resulting from such research activities must be disseminated as broadly and at the earliest possible opportunity to allow access by other researchers and the wider community.

NHMRC requires that any peer-reviewed publication arising from NHMRC supported research must be made openly accessible in an institutional repository or other acceptable location (e.g. publisher website, subject repositories) within a 12-month period from the date of publication. This policy applies to all publications from 1 July 2012 except for peer-reviewed conference papers where it applies from 15 January 2018.

'Publications' refers to the following:

- Peer-reviewed journal articles
- Peer-reviewed conference papers.

The metadata for the peer-reviewed publication must be made openly accessible via an institutional repository as soon as possible but no later than 3 months from the date of publication. The publication metadata requirement applies regardless of whether the publication is openly accessible upon publication, will be made openly accessible in the future, or will never be made openly accessible.

NHMRC also encourages authors of scholarly books, scholarly book chapters, edited research books, including prestigious reference works, and producers of other forms of research outputs to make them openly accessible where possible.

If authors are unable to make their publications open access within 12 months of the date of publication for any reason, this must be clearly indicated in the publication record listed in the NHMRC grants management system. Authors should endeavour to retain all necessary rights to enable the authors to publish and share their publications in any format at any time and use the Creative Commons Attribution licence, CC-BY, where possible when publishing their article. NHMRC does not require authors to make their publications openly accessible through publishers' paid open access program.

Refer to further guidance on NHMRC's website on how to comply with this policy.



## 4.2. Research data

One of NHMRC's primary roles is to fund high quality health and medical research and ensure that the Australian community receives health and economic benefits from that investment. An important part of this responsibility is enabling researchers and members of the community to access the data resulting from NHMRC funded projects for the long term and to maximise the benefits that could be derived from the data.

NHMRC acknowledges the importance of making research data publicly accessible and therefore strongly encourages researchers to consider the reuse value of their data and to take reasonable steps to share research data and associated metadata arising from NHMRC supported research.

When sharing data, researchers should ensure that appropriate metadata accompany the datasets. This will allow users of the data to fully understand the data, the curation strategies, assumptions, experimental conditions and any other details relevant to the interpretation of the data. When sharing research data, researchers must also consider the appropriate level of access that they would like to provide to users. The level of access may range from highly restricted (e.g. commercial in confidence, patient level, culturally sensitive, national security) to fully open access.

NHMRC acknowledges that sharing certain types of data may be complex. An example would be sharing of clinical trial data due to the length of clinical trials, the types of data inherent in clinical trials and the governance of the data. NHMRC therefore encourages researchers to share clinical trial data and associated metadata as soon as possible after publication provided that all ethical, regulatory and legal obligations are fulfilled. In order for the data to be of value to other researchers and for proper analyses to be conducted, the analytical techniques, assumptions, software and other details relevant to the clinical trial should also be shared alongside the data.

A further example in which sharing of data is crucial is during public health emergencies. Public health emergencies are special cases where rapid data sharing may be necessary to facilitate an effective response to a crisis. As a member of the [Global Research Collaboration for Infectious Disease Preparedness \(GloPID-R\)](#), NHMRC acknowledges the importance of sharing data and associated metadata in public health emergencies.

Researchers who use secondary data must acknowledge the original research team and provide a citation to the data source.

Refer to further guidance on NHMRC's website for clarification on data sharing.

## 4.3. Patents

NHMRC supports health and medical research and encourages researchers to develop best practice in identifying, managing and protecting intellectual property. This strategy will assist in encouraging commercial outcomes from publicly funded research where possible, and ensuring the return on investment is maximised.

In 2013, the *National Principles of IP Management for Publicly Funded Research* were released by the Australian Government to “provide guidance for the ownership, promotion, dissemination, exploitation and, where appropriate, protection of IP generated through Australian Government funded research by public sector institutions”.

[Source IP](#) is a government database developed to facilitate innovation and commercialisation by providing a mechanism for patent holders to showcase their licensing intent and/or promote their work in an integrated format. It also facilitates more efficient and accurate access to such information, as the data are managed from a single source. The ultimate aim of Source IP is to enhance collaborations between academia, government and industry.

NHMRC therefore:

- notes that details of patent applications (including the invention title) are published in the [Australian Official Journal Of Patents](#) 18 months after the application’s earliest priority date
- requires Australian publicly funded NHMRC Administering Institutions to be listed as ‘Research Organisations’ with Source IP, and to list Australian filed patent publications generated as a result of NHMRC funding on Source IP
- patents listed on Source IP which are associated with NHMRC funding, must reference the relevant NHMRC Grant ID in the description on Source IP, and
- institutions are encouraged to make available the [IP Toolkit](#) (including the model contract confidentiality agreement and term sheet) where collaborative research arrangements with business are involved.

This is effective from 15 January 2018. Refer to further guidance on NHMRC’s website for clarification on patents.

