



External Open Access Policy

Your organization's public-facing open access policy

v. 1.0 | November 2023



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About the GLAM-E Lab

The GLAM-E Lab is a joint initiative between the Centre for Science, Culture and the Law at the University of Exeter and the Engelberg Center on Innovation Law & Policy at NYU Law to work with smaller and less well-resourced UK and US cultural institutions and community organizations to build open access capacity and expertise.

The GLAM-E Lab provides legal counsel to GLAM institutions and cultural organizations as they develop open access programs. The solutions created for those institutions are then integrated into model internal policies and external terms of service that can be adopted by others. The goal of this approach is to use lessons learned from directly representing individual institutions to create self-serve model policies that work “off the shelf” for as many organizations as possible. We supplement these model policies with additional guides and resources to address common challenges.

Acknowledgements

Francesca Farmer, Research Fellow

Andrea Wallace, Co-Director

Michael Weinberg, Co-Director

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Please cite as: The GLAM-E Lab, “Updating Your Open Access Policy,” CC0 1.0.

Introduction

This document contains a model open access policy. The policy is designed to be adopted by cultural institutions and organizations and posted on their publicly facing websites. The template below is intended to be used and modified. We indicate where your organization should edit the template using [brackets and highlighted text].

Some cultural institutions take an institution-wide approach by adopting an open access policy for all suitable collections. In these cases, the following text can be used to update the organization's website to include a policy on open access. Some cultural institutions take an incremental approach to open access by releasing collections on a case-by-case basis. Other institutions may publish open access content on third-party platforms due to their ability to support open licenses and public domain tools, like Flickr Commons.

In all cases, the text below can replace or be added to the organization's existing copyright or collections management policy. Before formally adopting this policy, we recommend auditing your website to make sure that the policy and your site are in alignment.

If your organization uses this policy, there is no need to cite the GLAM-E Lab. The document is published CC0 1.0. Even so, we would appreciate learning how you use the document.

Open Access Policy

[Organization] is a [description about the organization and its collection or content]. [Insert any other mission-based goals here]. This [website/platform/database] provides you with access to our collections. We publish these materials as openly as possible but many items are affected by copyright, contractual rights, or other considerations that limit their reuse beyond this [website/platform/database].

[Organization] and open access

[Organization]'s open access vision is to make our collections freely available for everyone, for research, inspiration and enjoyment to the greatest extent. To support open access goals, all materials can be freely accessed, viewed, and read on [Organization]'s [website/platform/database].

[Organization] recognizes that public domain materials remain in the public domain following digitization. Public domain materials are marked with the [Creative Commons 1.0 Universal Public Domain Dedication \(CC0 1.0\)](#) and can be used free of charge without permission. When using public domain materials, you are encouraged to give credit to the author and [Organization] as the providing institution. You can find our suggested attribution statement for works from our collection in the "How should I attribute the work or information?" section below. More guidance on attribution can be found below and in Europeana's [Public Domain Usage Guidelines](#).

Many materials on this [website/platform/database] are protected by copyright or other rights. In certain cases, [Organization] does not own the rights associated with the materials. Rights might belong to: [artists, authors, their estates, or other third-party rightsholders] who own rights in the underlying work; staff who have contributed information to the record; or photographers or other third party rightsholders who produced, commissioned, or own [the archival photograph or digital surrogate]. We indicate whether any rights restrict your use of materials with rights statements that detail how they can be reused.

Use of digital surrogates and metadata

Digital surrogates are representations of a physical object, such as a photograph of an artwork or an archival document, stored in digital form. [Organization] publishes digital surrogates using CC0 1.0 whenever possible. Any restrictions on use are the result of rights held by third parties.

Metadata may include information on provenance, attribution, conservation, exhibitions, publications, and other valuable information. [Organization] publishes metadata using the CC0 1.0.

We ask that you credit [Organization] as the provider of the digital surrogates or metadata and link to the source so others may find our collections.

Share your use with us!

We would appreciate learning how you use our collections, which you can share through our contact form. Knowing more about collections reuse helps us improve the [website/platform/database] and support our open access goals.

Frequently asked questions on copyright and open access

What is copyright?

Copyright is a legal right that protects a person's interest in the creative materials they produce, usually for their lifetime plus a number of years after their death. Once copyright expires, the materials become part of the public domain and are available for anyone to reuse for any purpose and without permission.

Because copyright is tied to the creator's lifetime, certain information is important to know in order to evaluate copyright status, such as the creator's identity, when they died, or whether they assigned the rights to another person. Many items in our collections lack information on the copyright or rightsholder. In the cases of works produced in most of the 20th and 21st centuries, we have to assume this content remains protected by copyright.

Are there other types of rights that affect reuse?

In addition to copyright, content on the [website/platform/database] may be protected by other rights, like database rights, contractual agreements, data, or privacy rights.

Some examples include:

- database rights in the [website/platform] and its contents;
- collections of images restricted by contractual agreements with photography suppliers or the owners of the artworks or the photographs;
- photographs of artworks taken in a private residences; or
- personal information related to donors, owners, or users.

If we believe that a work is protected by one of these rights, it will not be marked as available under the CC0 1.0 dedication.

How can I tell what content is available for reuse?

Because we make every attempt to release content on this [website/platform/database] as openly as possible, all materials are published according to any rights status of the underlying item or materials depicted, to the extent that we know that status.

We mark our content with tools that indicate whether and how materials can be reused. You can find the item's rights status information in the [describe location] for each item or photograph record.

[Organization] uses Creative Commons [licenses](#) and [tools](#) when we own rights, have received permission from a third-party rightsholder to apply the license or tool, or when no rights exist in the content. We use RightsStatements [labels](#) when rights arise, the copyright status is unclear or when other restrictions apply to the Content.

To find Content that you can use for any purpose without conditions, use the search to filter by, or look for, the [CC0 1.0](#) icons.



How should I attribute the work or information?

It is good practice to attribute the source of the image, data or other information you use. While no attribution is required with public domain materials, whenever possible we ask that you please provide basic credit to [Organization]. Basic credit information might include the artist, title, photographer, any relevant dates, the permalink, date accessed, archive source, and license, such as: *[title], [artist name], [date], [organization], [link to object page on website], CC0 1.0.*

Why is all content not openly licensed or in the public domain?

Content may be restricted for various reasons such as:

- the underlying item or a component part is under copyright;
- the contributing institution lacks sufficient information to conclude the item is not under copyright; or
- the item is subject to contractual restrictions from a donor, owner, artist, or photographer.

Who should I contact for support or other inquiries?

Please contact [contact information] for:

- permission to use rights-restricted materials;
- higher-resolution images than we make available online;
- new photography; or
- any other licensing inquiries.

Notice and takedown policy

Although [Organization] has taken all reasonable efforts to ensure the content published on our [website/platform/database] is not infringing, we cannot entirely eliminate this risk. If you believe any content infringes your rights, please contact us [using this form / at contact information] and include a link to the relevant content. We may withdraw the content while the matter is investigated. [Organization] will respond within [15] working days of receipt.