



Leeds Trinity
University

Takedown Procedure

Leeds Trinity University

Takedown Procedure

Any individual, whether within or external to the University, has the right to request the removal of content from the Leeds Trinity University Repository, on the grounds that it breaches copyright, is in any other way unlawful or constitutes research misconduct as defined in the University's [Research Misconduct Policy](#).

Complaints can be submitted via the [Repository Complaints Form](#).

The following procedure will be adopted to manage takedown requests:

Stage 1

1. Complaints made through the web form will be delivered into the inbox repository@leedstrinity.ac.uk which will be checked every day by the Library Collections, Access & Systems Team, who will consider the complaint with reference to the 'offending' content and make an initial decision about whether or not the complaint is plausible. If the Library Collections, Access & Systems Team is unsure, they will consult the Director of Library & Learning Resources who will escalate this further if necessary. A decision will be reached within 48 hours of receipt of the complaint OR the content will be removed/made invisible in Pure, pending a decision on the plausibility of the complaint.
2. If the complaint is considered plausible, the Library Collections, Access & Systems Team will:
 - change the status of the content under investigation in Pure to render it invisible
 - change the metadata record so that it is clear that the full text or content file is not available
 - advise the depositor that it has been withdrawn and the reason for this.

The Library Collections, Access & Systems Team will then investigate the complaint, consulting the depositor as necessary. If, during the investigation, clarification is required from the complainant, the Library Collections, Access & Systems Team will seek clarification.

3. Content will be restored to the repository only if the Library Collections, Access & Systems Team is satisfied that it is not unlawful (following, if necessary, consultation with the University legal advisor).
4. If content is restored to the repository, the Library Collections, Access & Systems Team will advise the complainant and the depositor that it has been restored and that the University does not consider it unlawful.
5. In the event that the complainant does not accept the decision of the Library Collections, Access & Systems Team, they will have recourse to the University's [Complaints Procedure](#).

Stage 2

1. This stage should normally only be used after an unsuccessful attempt has been made to resolve the problem via the Library Collections, Access & Systems Team.
2. In all cases, complainants will need to set out their complaint in writing, by letter, to the Deputy Vice-Chancellor, within 10 days of receipt of a response from the Library Collections, Access & Systems Team.
3. In order to expedite investigation and resolution, the written complaint should include:

- The subject of the complaint i.e. the author, title, link to item in Leeds Trinity Repository, grounds for complaint
 - References to dated emails, correspondence, published information
 - Summary of attempt(s) at direct address (and meetings, where relevant)
 - Clear indication of outcome sought.
4. Whilst the complaint is ongoing, the actions regarding the content under investigation, stated in Section (2) of Stage 1, will apply.
 5. The Deputy Vice-Chancellor shall normally acknowledge the written complaint within five working days of receipt.
 6. The Deputy Vice-Chancellor shall ask the Chair of the Research & Knowledge Exchange Committee to take responsibility for investigation of the complaint and shall charge the Director with interviewing relevant individuals (including the complainant, subject to their availability) within ten days of receipt.
 7. The Chair of the Research & Knowledge Exchange Committee shall gather any further evidence as necessary.
 8. The Chair of the Research & Knowledge Exchange Committee shall report to the Deputy Vice-Chancellor, who shall decide whether the complaint is to be upheld and inform the complainant in writing, normally within twenty-five working days of receipt of the written complaint, of:
 - any action to be taken
 - right of petition (see below).

Petition against the Outcome/Handling of Complaints

1. If the complainant is dissatisfied with either the outcome of their complaint or the way in which the complaint was handled, they may petition in writing within ten working days of the letter informing them of the outcome of the complaint.
2. Petitions will only be allowed on the following grounds:
 - Faulty or irregular procedure in the initial complaint handling
 - Emergence of relevant information not available previously.
3. The petition should be sent to the Vice-Chancellor who may delegate an appropriate senior manager to investigate the case.
4. The Vice-Chancellor or delegate will investigate the case fully and will respond in writing to the complainant, normally within 28 working days, stating the outcome of the petition, copied to the Director of Library & Learning Resources and Chair of the Research & Knowledge Exchange Committee, for information. **The decision of the Vice-Chancellor will be final.**