

Takedown Policy: Archive

Scope of the policy

The takedown policy applies to material on the archive section of imeche.org; and on the websites of our partners, insofar as the content has come from the Institution of Mechanical Engineers (the Institution); with special reference to vads.ac.uk and maryevans.com

Guiding principles

We are committed to making collections available to users. Since 2015 we have operated a best effort policy when seeking to make material available.

If you believe that an infringement of your rights (or a company/person you are acting for) has occurred you should use the procedure herein. The policy also applies to retracting permission(s).

We aim to operate within the bounds of existing legal, as well as ethical frameworks, and are informed by external and internal guidance and best practice, when assessing material for online access. However, despite these measures, we recognise that material we publish online may be in breach of copyright or Data Protection, or may be objectionable to rights-holders/people.

Takedown and Intellectual Property Rights (IPR)

The IPR most commonly of relevance is copyright. To provide researchers with online access to material relating to key developments we have possibly digitised some archives and other materials which are still in copyright. We have applied due diligence to make these collections available. However, we cannot guarantee to have traced and contacted every potential rights-holder. It can be very difficult to identify the rights holder. This is particularly the case for archive material, most of which consists of unpublished documents. Names may be illegible or missing, may be impossible to identify or trace, or the current copyright owner may simply be unknown. For this type of material, we have made all reasonable efforts to ensure copyright holders' interests are respected.

Before making material available online, we mitigate risk of damage to third parties by checking the copyright status of material, and, where possible, contacting rights-holders for permission. Risk assessments are carried out. Government due diligence guidelines are used.

In addition, we also take the following steps to further reduce the risk to rights-holders and/or individuals:

- Archive material less than 100 years old will normally be available on a non-commercial basis only (unless permission has been given for commercial use) or may be subject to other restrictions
- Archive material less than 10 years old won't be made available online
- We operate an assumed lifespan of 100 years for releasing personal information.

Criteria

Material will be taken down temporarily on receipt of a request. The case will be considered by the Archivist, assisted by members of staff/specialists with relevant expertise.

If the takedown request concerns a factual error the error will be edited. If the request pertains to somebody who is over 100 years old, then on receipt of proof of identity of the subject in the record, the entry will be taken down.

For all other requests, we will approve continued withdrawal of the material only if one of the following criteria is met:

- The material is personal information about someone who is still alive and continued online access would be unlawful or unfair to them under the Data Protection Act 1998, would breach their or their family's right to a private and family life under the Human Rights Act 1998
- The material is sensitive personal information with the potential to cause substantial damage or distress to immediate family members of a recently deceased person (within 30 years prior to the request date)
- Making the material available online is an infringement of copyright, or other IPR and the rights-holder refuses permission
- The material is defamatory or obscene
- The material was released in error.

Making an request

You should make your request in writing (including email but excluding fax); please include evidence where relevant. All requests will be processed within 10 working days. Send it to:

Archivist, Library
Institution of Mechanical Engineers
1 Birdcage Walk, London, SW1H 9JJ
archive@imeche.org

Appeals

Should the member of public disagree with a take-down decision they should appeal to the Library Manager within 1 month of receiving the decision; please include evidence where relevant. All requests will be processed within 10 working days. You should make your request in writing (including email but excluding fax). Send it to:

Library Manager, Library
Institution of Mechanical Engineers
1 Birdcage Walk, London, SW1H 9JJ
s_rogers@imeche.org