



## DIRECTORATE-GENERAL FOR RESEARCH AND INNOVATION (RTD)

### Open Research Data as the default: Frequently Asked Questions about the extension of the Open Research Data Pilot

#### Background

From 2014, the Commission has been running a pilot on open access to research data in selected areas of Horizon 2020 (ORD pilot). This pilot takes into account the need to balance openness and protection of scientific information, commercialisation and Intellectual Property Rights (IPR), privacy concerns, security as well as data management and preservation questions.

 In previous Work Programmes the ORD Pilot was limited to some areas of Horizon 2020. As of the Work Programme 2017 the ORD pilot is being extended to cover all thematic areas of Horizon 2020. As announced in the Communication "European Cloud Initiative - Building a competitive data and knowledge economy in Europe" (COM(2016) 178 final) this makes open research data the default setting.

*A) Does "open access to research data" mean **all** research data has to be open access?*

**No** – The Commission follows the principle that data should be 'as open as possible, as closed as necessary'. Opt-outs are possible at any stage – before or after the signature of the grant agreement - but reasons have to be given e.g. for intellectual property rights (IPR) concerns, privacy/data protection concerns, national security concern, if it would run against the main objective of the project or for other legitimate reasons (see general annex L of the 2017 Work Programme to be adopted 25 July 2017).

Please note that Horizon 2020 proposals are not evaluated more favourably because they have agreed to share their research data and are not penalised if they opt-out.

*B) How is the new open research data policy implemented from a legal perspective?*

The Horizon 2020 Rules for Participation refer to the **Model Grant Agreement** (MGA) as the appropriate document to regulate open access to research data. Article 29.3 of the MGA deals with open access to research data and was created as an optional article to implement the ORD pilot. It will now apply by default to reflect the extension of the pilot to cover all areas of Horizon 2020. The Work Programme 2017 was updated to reflect the change in policy.

*C) What kind of data is covered by the obligation?*

Primarily the data needed to validate the results presented in scientific publications ("underlying data"), but projects may add any other data that they want to share in their Data Management Plan (DMP).

*D) What are we doing about Data Management Plans (DMP)?*

A DMP describes the data management life cycle for the data to be collected, processed and/or generated by a Horizon 2020 project. Projects should aim to make their research data findable, accessible, interoperable and re-usable (FAIR).

Projects need to create a Data Management Plan (DMP), except if they chose to opt-out of extended ORD pilot (see above). The DMP does not need to be submitted at proposal stage, but as an early deliverable within six months after the project has started and should be updated during the project as appropriate. The Commission provides guidance documents, including a template for DMPs.

*E) What are the sanctions for non-compliance?*

Since DMPs are deliverables, the standard procedures might be used for sanctioning non-compliance. However, it is expected that only in extremely rare cases will there be the need to resort to sanctions, in particular given the various possibilities to opt-out

Please note that it is up to beneficiaries to decide the level of access to deliverables, including the DMP.

*F) What about costs?*

Costs related to open access to research data are eligible for reimbursement during the project. In the longer term, the European Open Science Cloud will be designed to offer *inter alia* the possibility for post-project curation and preservation of research data generated by Horizon 2020 projects.

*G) Are there exceptions to the extension of the ORD pilot?*

The ORD pilot is being extended to all *areas* of Horizon 2020. However, not all *instruments* are suitable. The following instruments will be excluded: a) co-fund, b) prizes, c) ERC proof of concept instruments, d) those ERA-Nets that do not produce data, and e) the SME instrument phase 1. For 2-stage calls, information on ORD sharing will be requested only at stage 2.

*H) To what extent do you expect participants to opt out?*

Data from 2015 showed that nearly two thirds of the participants stayed in the ORD pilot and one third opted out. However, the extended ORD pilot now covers scientific areas where data sharing is not so widespread or might

prove more difficult. For this reasons, there may be an increase in opt-outs, though reliable information on this will only be available in the coming years.

*l) Where can I find more information about open access and open research data in Horizon 2020?*

Please consult the relevant page on the participant portal, which is being updated to provide in-depth guidance to applicants and Horizon 2020 beneficiaries at

[http://ec.europa.eu/research/participants/docs/h2020-funding-guide/cross-cutting-issues/open-access-dissemination\\_en.htm](http://ec.europa.eu/research/participants/docs/h2020-funding-guide/cross-cutting-issues/open-access-dissemination_en.htm)

(Update will come into effect end of July 2016).

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