Concerns about legal and regulatory restrictions
Post-publication

Concerns are raised to the data publisher

- Confirm receipt and state that the issue will be looked into
- Evaluate the nature, validity, and severity of the concerns

If based on the initial assessment, should the dataset be removed or restricted during the investigation to mitigate potential legal risk? (Consider obtaining legal advice.)

- No
  - Consider posting a notice to inform users that the dataset is under review
  - Contact the corresponding author. Request comments on the concerns, supporting documentation as needed, and information about other affected content
  - Attempt to contact co-authors
  - Institution is not contacted, does not respond by the deadline, cannot be reached, or does not provide a timely recommendation
    - Proceed per rest of flow chart

- Yes
  - Remove the dataset from the public domain while following up on the concerns
  - Consider contacting the institution to ask if they would like to investigate before you take further action, per CLUE guidelines

Consider raising the matter to the attention of the authors’ institution or the institution who owns the data, and request their review and recommendation

- Institution provides recommendation
  - Follow-up as appropriate based on the outcome of institutional review

- Institution advises proceeding or does not respond
  - Evaluate comments and materials received
  - Optional: Seek input from a legal adviser, if needed
  - Does the institution ask that you await their input before proceeding?
    - Yes
      - Awaiting input
      - Institution advises proceeding or does not respond
      - Attempt to contact co-authors
    - No
      - Consider raising the matter to the attention of the authors’ institution or the institution who owns the data, and request their review and recommendation

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The FORCE11 & COPE Research Data Publishing Ethics Working Group Recommendations for the handling of ethical issues around data publication are available at https://doi.org/10.5281/zenodo.5391293

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1. Journal editors/publishers: In cases where concerns are confirmed, it may be necessary to republish, retract, and/or remove the article or dataset. In deciding how to proceed, consider the extent to which the data in question affect the article, how data availability issues impact the article’s compliance with editorial policies, and the extent to which the article’s content needs to be modified to mitigate the risk. Pursue editorial action (e.g. correction, Expression of Concern, retraction) as warranted according to journal policies and COPE guidance.

2. The tombstone page is a page that indicates that there was previously a data record which is no longer available, this should not note the reasons behind the dataset removal.