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Higher Education Funding Council for England (HEFCE)

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Response from the International Association of STM Publishers to the letter from HEFCE seeking early input to help shape the consultation on the role of open access publishing in submissions to the post-2014 Research Excellence Framework (REF)

Introduction

The International Association of Scientific, Technical and Medical Publishers ("STM") is the leading trade association for academic and professional publishers. It has over 110 members in 21 countries who each year collectively publish nearly 66% of all journal articles and tens of thousands of monographs and reference works. STM members include learned societies, university presses, private companies, new starts and established players. EU-based publishers publish 49% of all research articles worldwide (STM's members originate approximately 2/3 thereof), employing 36,000 staff directly and another 10-20,000 indirectly, and make a £3b contribution to the EU's balance of trade. STM publishers have actively embraced the opportunities of the digital online environment, starting with journal content and other "native" digital products such as software, data and databases, as well as other digital tools. For more than ten years now, science and medical researchers, along with medical practitioners, have had ubiquitous access to online tools that include published information, links between references in the literature, data sets and software that can be manipulated by the user, and visual supplemental information such as video and three-dimensional illustrations that can be viewed from different perspectives by the user.

1. STM welcomes this opportunity for early input on the role of open access publishing in submissions to the (post 2014) Research Excellence Framework (REF).
2. Although entirely concerned with the process of funding research institutions in the UK, the policy that HEFCE derives from this consultation will have global implications. Scholarly publishing is a truly global enterprise and UK-based researchers are fully accustomed to publishing their articles in journals located outside the UK, especially in the US and Europe. If UK-based researchers are not to be disadvantaged in their endeavours, the requirements on them from HEFCE for submissions to the 2020 REF, which clearly will have a direct impact on their and their institution's future research capability and on their individual careers, must not be either onerous on them or out of step with global norms.

3. We particularly welcome the spirit of openness, inclusion and collaboration implicit in this consultation (§3). Scholarly publishers exist to serve the publication needs of researchers and the information needs of their readers. We have a vital role to play both in enabling the peer review process that sustains quality standards and in the dissemination and discovery of scholarly communication to a global audience. As stakeholders in maximising the benefits of publicly funded research, we expect to work with other stakeholders to deliver expanding access to articles that describe, analyse and interpret research using sustainable methodologies, including all varieties of open access publication.

4. We recognise the potential benefits of open access publishing models and we are on record as being fully supportive of any and every sustainable solution that can extend access. We are therefore pleased by the recognition in the HEFCE letter that benefits are more likely to be achieved if change is managed with the active participation of all interested parties. We share the objective that research outputs should be as widely and freely accessible as the available channels for dissemination permit (§1), subject to the caveat that the end should not destroy the means.

5. This draft HEFCE policy claims to be agnostic as to how open access to REF submissions is to be achieved (§9). Availability of a final peer-reviewed text that can be deposited in an institutional repository (§11) is a consequence of a publication process managed by a publisher subsequent to submission of the author's original manuscript to a journal for consideration. If on acceptance an Article Publishing Charge (APC) is offered, then the publisher will increasingly be likely publish the article using a Gold OA option, in which case the IR version can be the publisher's Version of Record. Alternatively if no APC is available then the article will be published under a subscription model, usually with a Green OA option attached, but likely subject to a suitable embargo period. Clearly the Version of Record is preferable to a manuscript version, so, in our view the HEFCE objective for more open access (§10) would seem to be better served by a preference for Gold OA in line with UK Government policy rather than a narrower IR requirement that potentially leads to a diversity of availability.

6. We do however see this HEFCE requirement on researchers as being complementary to an orderly transition from a landscape dominated by the subscription model to a mixed economy populated by a variety of open access models. We perceive a healthy competition among publishers of established journals to adapt with open access publication options alongside new entrants to the market wanting to offer new brands and new models. It must be borne in mind however that the HEFCE objective to stimulate Green OA deposit in IRs can only happen as a consequence of publication models funded elsewhere rather than representing a re-alignment or paradigm shift in publication practice in its own right.

Policy and Principles (§8 to §10)

7. The HEFCE policy expresses no preference for Gold or Green OA, and thus avoids the funding issue that must be resolved elsewhere, although we note that it does accept that Gold OA may be the most sustainable way "in the long term" (§9) and points out crucially that institutions may make use of HEFCE funds towards the costs of "accessible forms of publication". Such thinking would seem to stretch beyond the submission date for the 2020 REF. At the same time the UK Research Councils' policy states not only a preference for Gold OA but also that by 2018 they are preparing to fund up to 75% of articles reporting on research they have funded. A more secure policy alignment on behalf of the UK funders would seem to merit attention.

Funding body expectations (§11 to §12)

8. Here is set out the essential HEFCE requirement on researchers in order to be considered for the 2020 REF – deposit of the peer-reviewed text for potential submissions immediately on publication in an IR but potentially subject an embargo period. Clearly this aligns with the funding body's need for ready access to REF submissions as well as being a stimulus to OA publication. For the 2014 REF publishers have worked with the Publishers Licensing Society (UK) to enable a repository of REF submissions using a free-of-charge opt-in licence, but it would appear that such an arrangement is not envisaged for the 2020 REF, which in turn assumes that HEFCE expects near 100% compliance with its OA requirement. There is however a suggestion (§18c) that compliance may realistically only reach 80%, so perhaps HEFCE should revisit its thinking about the need for licencing arrangements for the 2020 REF as well. This exercise takes time and effort on behalf of PLS and publishers to deliver the result required.

9. Relevant to the licensing issue, it should be borne in mind that evidence so far, most pointedly from the PEER project, is that deposit rates in IRs and compliance rates for funder mandates generally are lower than expectations without publisher assistance. Motivation to fulfil the requirements of the 2020 REF will be high given the implications, but nevertheless to operate a policy that has full publisher support, especially over sustainable embargo periods, is more likely to generate the desired result.

10. The policy also implies that there will be some kind of audit, presumably on a sampled basis, of the timing of deposit and thus of the method used for primary publication of the peer-reviewed text that is available in IRs with the potential for submission to the 2020 REF. Clearly Gold OA publication will comply, but how is Green OA deposit to be tracked retrospectively? Somehow through the metadata? And if so, how is such a scheme to be derived, adopted and disseminated?

The role of IRs (§13-§14)

11. Although the HEFCE requirement is that REF submissions must be "accessible" through a "repository of the submitting institution", clearly it is neither feasible nor desirable in most instances that this process will also represent the means for primary publication of the authoritative version of articles. It follows therefore that the Version of Record is sited elsewhere, probably on a publisher's site, and that the IR version is the subject of a separate deposit. Leaving aside the low compliance rates so far for this kind of arrangement, it would be better if Gold OA Versions of Record could be accessed either directly on the Institutional Repository or through a DOI link to it on the publisher's website. Such DOI links could be readily achieved with the DOI system already used by CrossRef. A reference by HEFCE to these being the preferred means of access would be a further incentive for publishers who plan to adopt sustainable open access policies.

12. It may also be preferable to enter into a licensing arrangement with publishers to make the deposit of the peer-reviewed text on behalf of the author as the rate of author-generated deposits is, so far, low.

Embargoes and licences (§15 and §16)

13. It is reasonable to expect that a majority of article submissions for the 2020 REF will have been made open access by the Green route. Although RCUK is targeting (and funding) 75% Gold OA for RC funded outputs by 2018, this is an end point and many UK based

researchers will be submitting articles published in earlier years. Many will also be publishing in journals based outside the UK that may not offer Gold OA options. It is therefore essential that there is harmony and understanding around acceptable embargo periods for articles made OA by the Green route.

14. There has been a long and intense debate over this issue in the UK around the RCUK Policy on Open Access. The U.K. government's policy set out in the letter from Science Minister David Willetts to Dame Janet Finch of 17 July 2012 recognizes the need to ensure sustainable publishing with a policy that prefers gold, or if gold funds are not available, variable embargoes that go beyond 12 months for some disciplines. We would encourage HEFCE to do the same rather than to leave this crucial issue to other funders (§15). The Government policy is this:

1. First and preferred option is to fund Gold OA with an APC. The researcher would then be able to make an immediate deposit in their IR for the 2020 REF.
2. However, if accepted for publication by a journal that does not offer a Gold OA option, and the researcher has the funds to pay for an APC, then the researcher should expect an embargo period for Green OA deposit in their IR of six months, or twelve months for HSS disciplines.
3. If the researcher is accepted for publication but does not have the funds for an APC then they should accept a longer publisher-set embargo period, which they should expect to be 12 months, or up to 24 months for HSS disciplines, and in exceptional cases even longer, for Green OA deposit in their IR.

15. The purpose of the embargo period is not to restrict access but to protect the real funding for Green OA – i.e. journal subscriptions. By definition, given the variable half-lives of download activity for different disciplines, it follows that embargo periods must be set flexibly in line with evidence and practice in each sector. To impose a single short embargo policy when no alternative funding is available for APCs will fatally erode the subscription base and undermine the funds that make Green OA possible.

16. There is also much debate about appropriate publication licences for Open Access articles. RCUK and the Wellcome Trust are insisting on CC-BY for Gold OA, and many publishers now offer this as an option to their authors. Despite CC-BY being the licence used by a number of journals in their the Gold OA offering, serious concerns have been raised about unwanted and unmanageable consequences in the medical, humanities, and social science fields. These concerns include the misuse of scholarly communication to endorse positions, products or activities never intended, or even opposed by authors in their articles. In areas of medicine or social behaviour, such "quoted out of context" problems could have a serious adverse effect on human health and welfare. We are sympathetic to these concerns and urge policy makers to take into account the special characteristics of scholarly communication in setting out principles to guide open access licensing terms and conditions. Such a flexible approach would provide a framework that allows key stakeholders to develop and adapt licensing terms that meet the needs of communication environments subject to technology-driven change and migration. Requiring the use of any specific license restricts the ability of stakeholders to collaboratively tailor licensing solutions to the particular benefits and risks inherent in different fields of research. In the end, CC-BY may prove to be only one, and not always the best one, of many possible ways to meet the need for OA publication licences.

17. Scholarly publishers feel strongly that licences for Green OA should not enable cannibalisation of the market for the Version of Record that funds it. For this reason the CC-BY or comparable licenses are not appropriate for Green OA deposits.

Exceptions (§17 to §21)

18. As publishers it is not for us to say how HEFCE should manage exceptions to its own policy. We will offer publication options to researchers based on APC-funded Gold OA models or variants of the subscription-funded Green OA model. Which model individual researchers choose to adopt will depend on the funding available to them for APCs and on cultural norms within their discipline. So the balance of submissions made OA by different routes or not at all is not a factor that publishers can control or even influence.

19. That said, it is not clear to us how exceptions can be managed or audited unless clear rules apply. A top-down requirement of 80% by institution seems arbitrary and open to unfairness and numerous appeals. A case-by-case basis will be onerous to adjudicate, so some form of categorisation would seem to be the best alternative. STM publishers may be able to contribute to these considerations based on our knowledge of the publication behaviour in the different disciplines.

20. As noted earlier, the issues connected to a blanket requirement for CC-BY licences are being clearly articulated in the debate around the RCUK policy. The issue of embedded third party rights is especially significant, and some specialist publications are unable to comply with the wishes of UK funders. Again we would urge flexibility, especially for a HEFCE policy designed to encourage OA publication but also practically to enable the aggregation of REF submissions in IRs. It would seem reasonable to allow some extended notice period before delicate or onerous policy requirements are applied. The RCUK policy runs for five years from April 2013. Perhaps the full HEFCE requirement on exceptions should follow the same pattern and not apply until April 2018 so that it may benefit from the lessons learned by the Research Councils.

Monographs (§22 and §23)

21. It is certainly true that there is no established model for making monographs available on open access. Recently a number of projects attempting to leverage innovative funding models have been launched or are close to launch as pilots and these are to be welcomed. But the sustainability of these models is uncertain and untested. The funding requirements are on a different scale to journal articles, and our view is that it would be premature for HEFCE to insist on OA publication for monographs before some of these models have had time to mature and for a body of evidence and experience to emerge to inform policy.

22. There is a suggestion in the HEFCE letter (§22) that availability of an open electronic version can be subsidised by library sales of the print version, and this could be investigated. However monographs as e-books are already very widely available to libraries through aggregators and from the larger publishers directly, although these are funded by a subscription model and would not conform to the HEFCE preference for OA via IRs. There is however little problem with availability of the electronic version. This position should be kept under review, but our estimation is that another three years may be needed before sufficient case study material exists.

Open data (§24 and §25)

23. STM encourages authors to deposit researcher validated data in trustworthy and reliable data archives and we encourage data archives to enable bi-directional linking between datasets and publications by using established and community endorsed unique persistent identifiers such as database accession codes and DOI's. We also encourage publishers to make visible or increase visibility of these links from publications to datasets. STM supports the principle of data reuse and for this purpose actively participates in initiatives for best practice recommendations for the citation of datasets – e.g. Opportunities for Data Exchange (ODE), CoData, DataCite, the Alliance for Permanent Access, etc. We stand ready to support our authors should such HEFCE introduce Open Data requirements at some future time.

24. In summary, we urge HEFCE not take steps which place onerous burdens on the research community or force it out of step with global norms. We ask that HEFCE consider whether its objective for more open access would not be better served by a preference for Gold OA in line with UK Government policy rather than a narrower IR requirement that potentially leads to a diversity of availability. We note that Green OA is funded by subscriptions and if this becomes HEFCE's model of choice it is critical that embargo periods be set flexibly in line with evidence and practice. Despite CC-BY being the licence used by a number of journals in their the Gold OA offering, serious concerns have been raised about its unintended harmful consequences – especially in medical, humanities, and social science fields and we urge HEFCE to take into account the special characteristics of scholarly communication in setting out principles to guide open access licensing terms and conditions rather than requiring any particular license or license provider. This would establish a framework for stakeholders to develop and adapt licensing terms that meet the needs of communication environments subject to technology-driven change and migration. Finally, given that HEFCE has five years before its next evaluation phase will commence, we suggest that it may wish to postpone the implementation of elements of its proposed policy in areas where the consequences are not well understood in order to benefit from the experiences of others.

Respectfully submitted

For and on behalf of the International STM Association
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