

Consultation on open access in the post-2014 Research Excellence Framework

Response to the Higher Education Funding Council for England from the International Association of Scientific Technical and Medical Publishers (STM)

30 October 2013:

STM welcomes this opportunity to contribute to the consultation on open access in the post-2014 Research Excellence Framework. We have responded separately using the online template as requested, but also take this opportunity to offer our further comments based on the text of the consultation document.

About STM

STM is the leading global trade association for academic and professional publishers. It has over 110 members in 27 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.

STM publishers distribute their scholarly and scientific journals, books and databases, *inter alia*, for and to the research and education communities, communities that therefore constitute some of their most significant audiences and markets. Many of STM's members are UK-based and/or UK owned businesses, non-profit organisations, scholarly societies and professional bodies. STM's members employ 36,000 staff directly and another 10-20,000 indirectly, and make an Euro 3 billion contribution to the EU's balance of trade. EU-based publishers are responsible annually for approximately 49% of all published works of all of STM's members.

§20-22 Policy requirement *"Our objective ... is to increase considerably the proportion of outputs which are published in OA form."*

The HEFCE open access policy (the Policy) for REF2020 will be the most broadly applicable mandate on UK-HEI-based researchers, so this Policy should anticipate all the key issues, enable practical implementation, avoid foreseeable unintended consequences, and aim to encourage best practice for open access publication.

Deposit in an IR does not amount to 'publication'. The overwhelming majority of the 100,000+ articles 'published' annually by UK-HEI-based researchers, all of which would potentially be subject to this Policy should their authors anticipate making a future submission to the REF2020, will be published and made available in an established journal mediated by a publisher who owns the journal or manages that journal on behalf of a learned society. With this in mind we propose some issues that should be taken into consideration.

- Encourage version control by working with publishers to manage deposits. Developments globally may mean that many publishers will set up two versions of each accepted article to assist authors with compliance: an Accepted Manuscript (AM), suitable for deposit in a repository; and the full-functionality Version of Record (VoR) as the published version, accessible via the publisher's site.
- Researchers need the freedom to publish where they believe they will reach their core audience and research peer-group. Some journals based outside the UK may not operate on a basis compliant with the HEFCE Policy, so some flexibility should be accepted over the compliance rate, especially for HSS disciplines.
- Support sustainable solutions. There can be no Green Open Access via institutional repositories (IRs) or any repository unless primary publication is funded elsewhere, generally by subscription.
- Recognise that quality metadata standards at the article level are essential to enable effective search and discovery.
- Encourage balanced licensing models for reuse of AMs. Licences associated with articles in IRs need to be crafted to enable re-use, but also to respect the moral and integrity rights of authors and to enable publishers to manage commercial exploitation. Some publishers have their own licences, others use CC-BY-NC-ND.
- Acknowledge the need for collaborative solutions to enable text and data mining (TDM). Re-use for text-mining purposes will involve managed access to material hosted on publishers' sites, whatever modality is used by researchers. This will require technical access systems and authorisation and authentication services. Publishers are well advanced with these developments, especially the Prospect service from CrossRef currently in beta.

A note about metadata and standards associated with the Version of Record

The HEFCE Policy will mean that the REF2020 assessment exercise will involve hundreds of thousands of outputs, spread across dozens of IRs. The quality of metadata at article level will be critical in resolving outputs to HEIs and research teams and in enabling the review panels to operate with compliant material.

The scholarly publishing community has for many years worked incisively and collaboratively, principally through CrossRef, on innovations in this area that enable effective search and discovery at article level and empower researchers to re-use material for text mining.

FundRef is a newly available identifier that precisely associates individual articles with the source of funding for the research.

ORCID is a newly available persistent identifier unique to individual authors. The initiative involves participation by all stakeholders, but is funded principally by sponsorship from publishers.

The Prospect service being developed in beta by CrossRef will enable researchers to assemble permissions and set up access arrangements for text mining across a broad spectrum of journal articles.

CrossMark is an optional service from CrossRef associated with the Version of Record. It allows scholars to easily identify instances of documents that are being actively maintained by their publishers. The appearance of a CrossMark logo on a HTML, PDF or ePub document indicates that the publisher is taking care of or stewarding it through any updates, corrections, enhancements, retractions, or other changes.

§25-27 *Criteria for OA*

We note that the requirement is for all of: (i) available through an IR “immediately”, subject to embargo periods (ii) “final” peer reviewed text (iii) enabling search and re-use subject to attribution.

The term “immediately” is not defined.

For an article where the VoR is published under Gold OA, immediately will mean “on publication”.

For articles where the VoR is published under subscription, and is also to be made available as an Accepted Manuscript via an IR, the term “immediately” needs definition to allow for an embargo period. We propose that HEFCE should adopt a more flexible policy that allows for access to the AM via an IR at any time from the publication of the VoR to the expiry of the embargo period for Green OA of the AM. A refinement to this could be to enable access to a metadata link in the IR from the point of acceptance, with the full text AM available via the repository on expiry of the embargo period.

An AM is subject to copyright and hence licence terms. Guidance on licence terms in the Policy is (deliberately) imprecise. However licences associated with Accepted Manuscripts used for Green OA deposits will need to anticipate the needs of authors, publishers and users, including the following, although this is not an exhaustive list:

- Commercial re-use (all or part)
- Reuse for teaching or training (all or part)
- Linkage to the VoR by DOI
- Author’s moral rights of attribution and integrity
- Rights associated with third party content
- Rights of quotation
- Re-publication
- Outputs from TDM
- Warranties

Question 1

Do you agree that the criteria for open access are appropriate (subject to clarification on whether accessibility should follow immediately on acceptance or on publication)? Do you have any comments on this proposal?

“Neither agree nor disagree”

Comments

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Guidance in the Policy on licensing requirements should be considerably more precise, and such guidance should be developed through collaboration with all the principal actors including publishers.

The PEER project demonstrated clearly that the level of ‘green’ deposit in repositories, including IRs, is extremely low if left to authors alone, but that the rate of deposit rises exponentially if publishers are involved within a climate of acceptable embargo periods.

The REF2020 regulations will not apply to outputs published before January 2016, so a mixed economy is inevitable.

§28-31 Institutional repositories *"Our requirement is that outputs are made accessible through IRs at the point of publication ... repositories are in a varied state of readiness ... REF submission system will be developed with the maximum interoperable capability that can be achieved".*

Depositing an AM in a repository does not amount to 'publication'. IRs exist to fulfil multiple functions, not just as a parallel channel to enable Green OA, so IRs are certain to be of variable functionality, even after extensive intervention by JISC and HEFCE. Consistency and robust delivery could be achieved by working in partnership with publishers who can deliver state of the art interoperability and access standards such as ORCID, FundRef, Prospect and CrossMark (see our note under §20-22).

Question 2

Do you agree with the role outlined for institutional repositories, subject to further work on technical feasibility? Should the criteria require outputs to be made accessible through institutional repositories at the point of acceptance or the point of publication? Do you have any comments on these proposals?

"Agree"

"At the point of publication"

Comments:

As publishers we do not foresee IRs as being capable of representing the principal channel for open or public access to the outputs of publicly funded research. The inefficiencies inherent in such a solution will mean that IRs will always represent a sub-optimal solution when compared to the systems developed by specialist professional publishers and learned societies.

We strongly believe that if the HEFCE criteria for OA require access to the AM through an IR then this should be after the point of publication of the VoR not on acceptance of the AM. It is important for the sustainability of the funding model that enables Green OA that embargo periods, which run from the point of publication, are respected. These can be tracked if access to the AM via an IR is after the point of publication of the VoR, but with less certainty from the point of acceptance.

§32-34 Embargo periods *"aligned with the RCs". "Issues to be clarified with respect to identifying appropriate licences."*

HEFCE does not propose to specify a particular form of licence in view of the "unresolved issues", but greater clarity will be needed by the time the Policy comes into effect in 2016 – please see our comment under §20-22.

It is well known that publishers have strong views about appropriate embargo periods for Green OA. Our concern is that embargo periods should not be so short as to undermine the source of publication funding, generally from subscriptions, for outputs that will be made available other than by paid-for (Gold) OA. Embargo periods must bear some relation to the 'half life' of article downloads or risk undermining subscriptions. The Government in its response to the Finch recommendations agreed that such an approach is not unreasonable.

Question 3

Do you agree that the proposed embargo periods should apply by REF main panel, as outlined above? Do you agree with the proposed requirements for appropriate licences? Do you have any comments on these proposals?

"Disagree"" (embargo periods)

"Agree" (licences)

Comments:

We understand the principle behind the HEFCE policy on embargo periods to be that HEFCE will not seek to impose a Policy that is any shorter than the period agreed by the Research Councils themselves. Publishers are now in broad agreement with these policies, as set out in the latest RCUK Guidance documents and as endorsed by the Government through evidence to the Lords and Commons Select Committees.

There is however an important exception to this “broad agreement”, which has led us to “disagree” with the HEFCE Policy as applied to embargo periods, and that is the policy adopted by MRC. This MRC policy requires a six-month embargo period even when the journal is able to offer a Gold OA publication option. We continue to believe that a six-month embargo period is too short for Green OA deposits and that over time such a policy will erode the subscriptions that fund Green OA. This MRC policy is also inconsistent with stated Government policy for articles where Gold OA funding is not available but the publisher is offering a Gold OA publication option. So far submissions from publishers to MRC and to RCUK on this issue have been ignored. We urge HEFCE to think again when it comes to appropriate embargo periods for access to AMs via IRs for articles that will be considered by Main Panel A. HEFCE should want to align with Government policy on this issue and not to adopt the inconsistency applied by MRC.

This HEFCE Policy requiring deposit in IRs will if successful lead to a significant shift in the landscape of Green OA in the UK, so HEFCE should ensure that the fundamentals that enable a robust and sustainable solution are in place. This will include ‘appropriate licences’ capable of meeting the needs of all parties. Publishers support HEFCE’s goal of enabling reuse and appreciate HEFCE’s recognition that “appropriate licenses” are needed (§ 33). Some publishers have their own licences for AMs available under Green OA, others use the CC-BY-NC-ND licence. Cross sector consultations continue.

§35-38 *Flexibility and review*

We note that RCUK does not propose to review the impact of its current policy until the final quarter of 2014, and has been urged by the Lords Select Committee to conduct further reviews during the lifetime of the policy. In the event of evidence demonstrating that the RCUK policy should adapt, we hope that the eventual HEFCE Policy will enshrine sufficient flexibility for this Policy to adapt in turn.

When if at all does HEFCE propose to review this OA policy once published?

We also believe that the licence requirement for Green OA needs to be resolved in line with the application of the Policy although it is unlikely that one licence for Green OA will evolve that is applicable to all circumstances so some degree of flexibility will be needed.

§39-40 *Open data*

We accept that it is too early to contemplate a mandate on researchers, but we remain willing to engage in discussions over how access to data may be enabled through links from the VoR.

§41-52 *Definition of outputs*

We note that the Policy will apply to any journal article that includes an author based at a UK HEI published after January 2016. It will be up to authors anticipating the REF2020 to comply, but we expect that the Policy will encompass a wider constituency than for REFs past. There may be an issue of the extent to which UK-HEI-based authors can bind their colleagues based outside the UK to the HEFCE Policy.

We note the criterion that the Policy should apply only where OA is “reasonably achievable”, which we consider to be helpful, as is recognition of the “transitional nature of the journey”. This should not mean however that HEFCE should adopt policies that will create confusion and uncertainty as the marketplace for open access continues to develop.

We note the commitment to “working with the research and academic publishing sectors on developing a long-term approach to extending the benefits of OA publication ... to long form publications ... and to extend the requirement to these output types in the future.” We accept that all current OA models for publication of monographs and mid-length publications are so far untested and that it is too early to consider mandates.

We welcome the work of Professor Crossick and stand ready to engage as you propose. We note however that there are no publishers on the Steering Group, so we hope to see some publisher engagement with the Expert Reference Group.

Question 4

Do you agree that the criteria for open access should apply only to journal articles and conference proceedings for the post-2014 REF? Do you have any comments on this proposal?

“Agree”

Comments:

We agree that the criteria for OA should apply only to journal articles and conference proceedings, but we believe that all parties will need to strive for more clarity on appropriate licences to enable Green OA.

§53-55 Notice period

A notice period of two years should be sufficient for authors of journal articles anticipating a future submission for the REF2020 to be able to take account of the HEFCE Policy with their publisher. Two years should also be sufficient for articles submitted once the final Policy is announced in 2014 to achieve publication without needing to adopt any special criteria that may not align with their current publisher’s policy.

We note however that UK-HEI-based researchers may seek to publish in journals that offer prestige in their field but which are managed by publishers who are not based in the UK nor have a UK presence. This might include society publishers based in the US, for example. Some flexibility in the Policy to enable such freedom to publish is needed. One way is to allow exceptions on a percentage basis. Another would be to consider an article to be compliant if published in any journal with a clear Green OA policy.

Question 5

Do you agree that a notice period of two years from the date of the policy announcement is appropriate to allow for the publication cycle of journal articles and conference proceedings? Do you have any comments on this proposal?

“Agree”

Comment:

Yes, two years is appropriate to allow for the publication cycle of journal articles, but please note our points in relation to ongoing flexibility over embargo periods.

§56-59 Authors employed at a UK HEI

We note that the HEFCE policy requirement is applicable to any output authored in whole or in part by an author employed at a UK HEI **at the time of submission** (§58), unless subject to an exception. This is the only reference in the Policy to ‘submission’ and would seem to us to be illogical. Submission may not result in acceptance, therefore making the Policy applicable at the point of acceptance may lead to confusion and misunderstanding. Having the policy apply at the point of acceptance would give researchers greater clarity and improve compliance with the Policy.

Question 6

Do you agree that criteria for open access should apply only to those outputs listing a UK HEI in the output's 'address' field for the post-2014 REF? Do you have any comments on this proposal?

"Neither agree nor disagree"

Comment

This is a matter for HEFCE to decide. We propose however that the policy should apply at the point of acceptance rather than submission.

§60-63 Exceptions

We believe that most journals now offer publication options that will enable most UK-HEI-based researchers to comply with the requirements of the HEFCE Policy on open access.

Question 7

Which approach to allowing exceptions is preferable? If selecting option b, do you believe the percentage target should apply consistently or vary by REF main panel? Do you have any comments on these proposals?

7a: "b) percentage target"

7b: "Disagree" (percentage targets in the document are appropriate)

7c: "By REF Main Panel"

Comments:

On balance, we think that a percentage-based approach to managing compliance is preferable to case-by-case exceptions. We believe that compliance rates should be set lower than proposed in the consultation document for Main Panels C and D to allow more flexibility for publication in overseas journals.

Respectfully submitted



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