

SPARC Europe response to UKRI Open Access Policy Consultation

Submitted, 28 May 2020

Journal articles

Q7. To what extent do you agree or disagree that where compliance with UKRI's OA policy is achieved via a repository, a CC BY licence (or Open Government Licence where needed) should be required for the deposited copy?

Strongly agree / **Agree** / Neither Agree nor disagree / Disagree / Strongly disagree / Don't Know / No opinion.

Please explain your answer (1,350 characters maximum, approximately 200 words).

It is vital that repository research articles have a CC BY licence to facilitate and maximise the legal re-use of important research results in research and education, thereby increasing the visibility and impact of UK research worldwide. The use of the CC BY licence is increasingly becoming good and standard practice by funders and national policymakers alike, with Plan S stipulating this in its requirements as an example. This licence should become standard practice for journals, platforms and repositories and UKRI can accelerate this process.

Q8. To what extent do you agree or disagree that UKRI's OA policy should have a case-by-case exception allowing CC BY-ND for the version of record and/or author's accepted manuscript.

Strongly agree / **Agree** / Neither agree nor disagree / Disagree / Strongly disagree / Don't know / No opinion.

Please explain your answer. UKRI particularly welcomes evidence supporting: specific cases where ND is considered necessary; an ND exception not being necessary; any implications an ND exception could have for access and reuse (2,000 characters maximum, approximately 300 words).

We strongly advise that CC-BY-ND be only used in exceptional circumstances and not as the rule. It is suggested that UKRI approves this in cases when this impinges on the integrity of a researcher's work to safeguard it. However, this licence should not be used in reaction to publisher demands. Exceptions need to be justified in writing, scrutinised and documented. It should be noted that this will incur extra effort at the side of the institution unless UKRI manages this process centrally. Clear and rapid processes are important so as not to lead to publishing delays. In this case, it is important for authors to retain copyright and secondary publishing rights so that they are able to authorise the derivative work, rather than the publisher.

Q10. Are there other considerations UKRI should take into account regarding licensing requirements for research articles in-scope of its proposed OA policy?

Yes / No / Don't know / No opinion.

If yes, please expand (1,350 characters maximum, approximately 200 words).

It is essential that UKRI makes licensing requirements clear and explicit at the grant award stage. This will better guarantee that UKRI and non-UKRI authors are fully aware of their obligations allowing them to address them promptly and accordingly.

Q12. Which statement best reflects your views on whether UKRI's OA policy should require copyright and/or rights retention for in-scope research articles?

- a. UKRI should require an author or their institution to retain copyright and not exclusively transfer this to a publisher
- b. UKRI should require an author or their institution to retain specific reuse rights, including rights to deposit the author's accepted manuscript in a repository in line with the deposit and licensing requirements of UKRI's OA policy
- c. **UKRI should require an author or their institution to retain copyright AND specific reuse rights, including rights to deposit the author's accepted manuscript in a repository in line with the deposit and licensing requirements of UKRI's OA policy**
- d. UKRI should not have a requirement for copyright or rights retention
- e. Don't know
- f. No opinion

Please explain your answer. UKRI particularly welcomes views as to whether it is necessary to require copyright and/or rights retention if its policy were to require a CC BY licence, which enables reuse. If you selected answer b or c, please state what reuse rights you think UKRI's OA policy should require to be retained (2,000 characters maximum, approximately 300 words).

Please note that views are not sought on whether institutions should hold the copyright to work produced by their employees as this is subject to Section 11 of the Copyright, Designs and Patents Act 1988 and institutional copyright policies.

Currently, many authors sign away publication rights although they might still retain copyright. For years, authors and their institutions have been very much involved in the process of disseminating their own research output through pre-prints, social media, research dissemination platforms and others to ensure that the visibility, ROI and impact – including social impact – of their work is increased; they are no longer solely dependent on the publisher for this purpose. Dissemination channels have also become much more extensive, and will change in years to come. As a result, to support this change in dissemination practice, and to be future-fit for new channels, we would like to underline the importance of UKRI insisting that authors retain copyright and do not transfer secondary publishing rights to enable authors to maximise the re-use and value of UKRI-funded research. This also helps meet the goals and values of open research.

Furthermore, when retaining publishing rights, the author and its institution is in control of the licence, deposit and further dissemination of the work, better ensuring that licensing errors that may occur at the side of the publisher is minimised.

Q27. There are many business models that can support OA. A common model for journals is based on APCs, but there are also other models (such as membership models and subscribe to open). Are there changes or alternatives to the present UKRI funding mechanisms that might help support a diversity of OA models?

Yes / No / Don't know / No opinion.

Please expand (2,650 characters maximum, approximately 400 words).

Since the solution to funding OA is still under development, we request that UKRI embraces a range of business models, not limiting itself to payments of APCs. Many lessons can be learnt from South America, Canada and European countries that use other business models to pay for opening access to publicly funded research. Plan S also promotes a range of models. We therefore strongly encourage UKRI to financially support other funding mechanisms to ensure immediate access to publicly funded research by all researchers, including zero-embargo green OA. UKRI thereby embraces diversity, competition and innovation in a still very dynamic and changing scholarly communication system.

Furthermore, we do not believe that the UKRI should stimulate the APC to become the new norm by limiting OA funds to be spent on APCs – especially as publishers are increasingly using this higher expense as a baseline for big deals.

Q29. Are there any existing or new infrastructure services that you think UKRI should fund the maintenance and/or development of, to support the implementation of its OA policy for research articles?

Yes / No / Don't know / No opinion.

If yes, please state what these are and explain and, where possible, evidence why UKRI should provide support (2,650 characters maximum, approximately 400 words).

We are convinced that funders such as UKRI can play an important role to ensure that essential infrastructure that underpins the implementation of OA policy, continues to exist and remains in the hands of the research community, following the values of Higher Education and goals of open research. Furthermore, the UK research and research support communities have become dependent on certain infrastructure to deliver on open research. UKRI can support these communities by funding essential infrastructure which has proven its value over time, and is now struggling to both innovate and maintain operations. Supporting these services centrally would reduce costs in other parts of the workflow for the many research institutions across the UK.

It will be essential for UKRI – or any funder of OA infrastructure – to have a mechanism to help select what needs to be funded in consultation with representatives of the research community. SPARC Europe is working towards this aim on 2 levels: through [Invest in Open Infrastructure](#) and [SCOSS](#).

SPARC Europe is currently carrying out a study into the OS infrastructure landscape in Europe, including the UK, to gain an understanding of the offering, its sustainability, and how far these services adopt open principles: we hope that this is an important step to inform funders on what they might fund and why. This will inform the [Invest in Open Infrastructure](#) initiative that seeks to find new solutions to fund essential infrastructure worldwide, and specifically UKRI.

SPARC Europe is also leading the [SCOSS](#) initiative, which each year recommends 3-4 OS infrastructure for community-funding and community-governance. Sherpa/RoMEO and the Directory of Open Access Journals were recommended in the first funding campaign, and in the second, we are promoting the need to fund the Directory of Open Access Books, OAPEN, the Public Knowledge Project with OJS, and OpenCitations. In 2.5 years we have helped raise over 2.3 million euros through community-funding. SCOSS has developed criteria based on a range of existing principles that serve to evaluate applications for funding. These criteria have been re-used and adapted by the French Open Science Fund for example, and could also be utilised by UKRI when investigating how to prioritise and fund OA infrastructure.

Section B: Monographs, Book Chapters and Edited Collections

Q33. To what extent do you agree or disagree that the types of monograph, book chapter and edited collection defined as in-scope and out-of-scope of UKRI's proposed OA policy (see paragraphs 96-98 of the consultation document) are clear?

*Strongly agree / Agree / Neither agree nor disagree / **Disagree** / Strongly disagree / Don't know / No opinion.*

If you disagree, please explain your view (2,000 characters maximum, approximately 300 words).

Books that 'require significant reuse of third-party material and where alternative arrangements are not a viable option' is concerning since who is to determine whether no viable option exists? If this is UKRI, then this process and the tools it needs to evaluate and monitor this, needs to be transparent.

UKRI allows for loopholes with the phrase: 'the only suitable publisher in the field does not have an OA programme'. UKRI should encourage OA and should not enable non-compliance with such exceptions. Furthermore, were it to be kept, UKRI would need to have a reliable mechanism to evaluate this claim since this could be exploited by those who do not wish to publish OA.

Q34. Should the following outputs be in-scope of UKRI's OA policy when based on UKRI-funded doctoral research?

a. Academic monographs **Yes** / No / Don't know / No opinion

b. Book chapters **Yes** / No / Don't know / No opinion

c. Edited collections **Yes** / No / Don't know / No opinion

Please explain your view (1,350 characters maximum, approximately 200 words).

We applaud this stipulation since it will change the way that post-PhDs and their PIs publish OA. To date, many are concerned with depositing work in repositories with no embargoes since this might hamper opportunities to publish a book – to the detriment of research and the visibility of publicly funded research. This funder policy is an important step to change this practice.

Q35. To what extent do you agree or disagree that UKRI's OA policy should include an exception for in-scope monographs, book chapters and edited collections where the only suitable publisher in the field does not have an OA programme?

*Strongly agree / Agree / Neither agree nor disagree / Disagree / **Strongly disagree** / Don't know / No opinion.*

Please explain and, where possible, evidence your view (1,350 characters maximum, approximately 200 words).

UKRI allows for loopholes with the phrase: 'the only suitable publisher in the field does not have an OA programme' UKRI should encourage OA and should not enable non-compliance with such exceptions. Furthermore, were it to be kept, UKRI would need to have a reliable mechanism to evaluate this claim since this could be exploited by those who do not wish to publish OA. Furthermore, many publisher are open to exploring innovation and new projects like the [Open Book Publishers](#). This should be encouraged by UKRI rather than discouraged in this way. We therefore discourage UKRI to include this exemption.

Q37. Regarding monographs in-scope of UKRI's proposed OA policy, which statement best reflects your view on the maximum embargo requirement of 12 months?

a. 12 months is appropriate

b. A longer embargo period should be allowed

c. A shorter embargo period should be required

d. Different maximum embargo periods should be required for different discipline areas

e. Don't know

f. No opinion

Please explain and, where possible, evidence your answer. If you answered b, c or d please also state what you consider to be (an) appropriate embargo period(s) (1,350 characters maximum, approximately 200 words).

An embargo restricts access to research and brings with it additional administration to manage it effectively. No strong argument is made to substantiate why such an embargo is necessary, and then if so, how this will be monitored. If this is indeed necessary, this must be clearly stipulated and a monitoring process must be in place.

Q38. Regarding book chapters in-scope of UKRI's proposed OA policy, which statement best reflects your view on the maximum embargo requirement of 12 months?

a. 12 months is appropriate

b. A longer maximum embargo period should be allowed

c. A shorter maximum embargo period should be required

d. Different maximum embargo periods should be required for different discipline areas

e. Don't know

f. No opinion

Please explain and, where possible, evidence your answer. If you answered b, c or d please also state what you consider to be (an) appropriate embargo period(s) (1,350 characters maximum, approximately 200 words).

See answer for QU37.

Q39. Regarding edited collections in-scope of UKRI's proposed OA policy, which statement best reflects your view on the maximum embargo requirement of 12 months?

a. 12 months is appropriate

b. A longer embargo period should be allowed

c. A shorter embargo period should be required

d. Different maximum embargo periods should be required for different discipline areas

e. *Don't know*

f. *No opinion*

Please explain and, where possible, evidence your answer. If you answered b, c or d please also state what you consider to be (an) appropriate embargo period(s) (1,350 characters maximum, approximately 200 words).

See answer for QU37.

Q40. Do you have any specific views and/or evidence regarding different funding implications of publishing monographs, book chapters or edited collections with no embargo, a 12-month embargo or any longer embargo period?

Yes / No.

If yes, please expand (2,000 characters maximum, approximately 300 words). Please note that funding is further considered under paragraph 110 of the consultation document (question 53).

There is a range of evidence to prove that OA does not have a negative effect on monograph sales as stated by:

Ronald Snijder, *The Deliverance of Open Access Books: Examining Usage and Dissemination* (Doctoral thesis (Leiden University, 2019, p 200, <https://openaccess.leidenuniv.nl/handle/1887/68465>

Eelco Ferwerda, Ronald Snijder, and Janneke Adema, *OAPEN-NL. A Project Exploring Open Access Monograph Publishing in the Netherlands: Final Report*, The Hague: OAPEN Foundation, October 2013), <http://apo.org.au/sites/default/files/docs/OAPEN-NL-final-report.pdf>. Retrieved from [https://www.researchgate.net/publication/273450141_OAPEN-NL - A project exploring Open Access monograph publishing in the Netherlands Final Report](https://www.researchgate.net/publication/273450141_OAPEN-NL_-_A_project_exploring_Open_Access_monograph_publishing_in_the_Netherlands_Final_Report)

Eelco Ferwerda, Ronald Snijder, Brigitte Arpagaus, Regula Graf, Daniel Krämer, Eva Moser, *The impact of open access on scientific monographs in Switzerland. A project conducted by the Swiss National Science Foundation (SNSF) (OAPEN-CH)*, p 7 DOI: <https://www.doi.org/10.5281/zenodo.1220607>

Rupert Gatti, 'Introducing data to the open access debate: OBP's business model (part three)' 15 October 2015, <https://blogs.openbookpublishers.com/introducing-data-to-the-open-access-debate-obps-business-model-part-three/>

Rachel Pells, 'Open access: "no evidence" that zero embargo periods harm publishers', *Times Higher Education*, 23 April 2019, <https://www.timeshighereducation.com/news/open-access-no-evidence-zero-embargo-periods-harm-publishers>

Q41. To what extent do you agree that self-archiving the post-peer-review author's accepted manuscript should meet the policy requirement?

Strongly agree / Agree / Neither agree nor disagree / Disagree / Strongly disagree / Don't know / No opinion.

Q43. To what extent do you agree or disagree with CC BY-ND being the minimum licensing requirement for monographs, book chapters and edited collections in-scope of UKRI's proposed OA policy?

*Strongly agree / Agree / Neither agree nor disagree / **Disagree** / Don't know / No opinion.*

Please explain and, where possible, evidence your view (1,350 characters maximum, approximately 200 words).

We strongly advise that CC BY is the default to promote the re-use of research and to maximise its impact. CC-BY-ND would also impede translation, which we must prevent to ensure diverse access to knowledge and to limit and not strengthen the dominance of the English language. Furthermore, we should maximise the re-use of research in education through coursepacks for example, which we can facilitate with the right licence. CC-BY-ND should therefore be used in exceptional circumstances and not as the rule. The case can be made for CC-BY-ND but this must be justified in writing, scrutinised and documented and then approved by UKRI. This licence should not be used in reaction to publisher demands. It should be noted that this will incur extra effort at the side of the institution unless UKRI manages this process centrally. Clear and rapid processes are important so as not to lead to publishing delays. In this case, it is important for authors to retain copyright and secondary publishing rights so that they are able to authorise the derivative work, rather than the publisher.

Q49. Which statement best reflects your views on whether UKRI's OA policy should require copyright and/or rights retention for in-scope monographs, book chapters and edited collections?

a. UKRI should require an author or their institution to retain copyright and not exclusively transfer this to a publisher

b. UKRI should require an author or their institution to retain specific reuse rights, including rights to deposit the author's accepted manuscript in a repository in line with the deposit and licensing requirements of UKRI's OA policy

c. UKRI should require an author or their institution to retain copyright AND specific reuse rights, including rights to deposit the author's accepted manuscript in a repository in line with the deposit and licensing requirements of UKRI's OA policy

d. UKRI's OA policy should not have a requirement for copyright or rights retention

e. Don't know

f. No opinion

Please explain and, where possible, evidence your answer. If you selected answer b or c, please state what reuse rights you think UKRI's OA policy should require to be retained (2,000 characters maximum, approximately 300 words). It is not necessary to repeat here, in full, information provided in response to question 12. Please note that views are not sought on whether institutions should hold the copyright to work produced by their employees as this is subject to Section 11 of the Copyright, Designs and Patents Act 1988 and institutional copyright policies.

Currently, many authors sign away publication rights although they might still retain copyright. For years, authors and their institutions have been very much involved in the process of disseminating their own research output through pre-prints, social media, research dissemination platforms and others to ensure that the visibility, ROI and impact – including social impact – of their work is increased; they are no longer solely dependent on

the publisher for this purpose. Dissemination channels have also become much more extensive, and will change in years to come. As a result, to support this change in dissemination practice, and to be future-fit for new channels, we would like to underline the importance of UKRI insisting that authors retain copyright and do not transfer secondary publishing rights to enable authors to maximise the re-use and value of UKRI-funded research. This also helps meet the goals and values of open research. Furthermore, when retaining publishing rights, the author and its institution is in control of the licence, deposit and further dissemination of the work, better ensuring that licensing errors that may occur at the side of the publisher is minimised.

Q50. Regarding the timing of implementation of UKRI's OA policy for monographs, book chapters and edited collections, which statement best reflects your view?

- a. The policy should apply from 1 January 2024*
- b. The policy should apply earlier than 1 January 2024*
- c. The policy should apply later than 1 January 2024*
- d. Don't know*
- e. No opinion*

Section C: Monitoring Compliance

Q54 To support the implementation of UKRI's OA policy, are there any actions (including funding) that you think UKRI and/or other stakeholders should take to maintain and/or develop existing or new infrastructure services for OA monographs, book chapters and edited collections?

Yes

It is essential that UKRI helps sustain core essential infrastructure for books and research articles since the implementation of some of its policy depends upon it. It is important for UKRI to stimulate innovation in the sector as well as to invest in the operations of those services or Infrastructure that have proven their value over time.

SPARC Europe is currently carrying out a study into the OS infrastructure landscape in Europe, including the UK, to gain an understanding of the offering, its sustainability, and how far these services adopt open principles: we hope that this is an important step to inform funders on what they might fund and why. This will inform the [Invest in Open Infrastructure](#) initiative that seeks to find new solutions to fund essential infrastructure worldwide and can specifically inform UKRI on OA books.

SPARC Europe is also leading the [SCOSS](#) initiative, which each year recommends 3-4 OS infrastructure for community-funding and community-governance. Sherpa/RoMEO and the Directory of Open Access Journals were recommended in the first funding campaign, and in the second, we are promoting the need to fund the [Directory of Open Access Books](#) and [OAPEN](#), amongst 2 other services. In 2.5 years we have helped raise over 2.3 million euros through community-funding. SCOSS has developed criteria based on a range of existing principles that serve to evaluate applications for funding. These criteria have been re-used and adapted by the French Open Science Fund for example, and could also be utilised by UKRI when investigating how to prioritise and fund OA infrastructure.

Q58. Except for those relating to OA block grant funding assurance, UKRI has in practice not yet applied sanctions for non-compliance with the RCUK Policy on Open Access. Should UKRI apply further sanctions and/or other measures to address non-compliance with its proposed OA policy?

Yes / No / Don't know / No opinion.

Please explain your answer (2,000 characters maximum, approximately 300 words).

Monitoring is essential for compliance to take place. This has also been discussed at length amongst funders at Science Europe in recent months. Rewards and incentives as well as sanctions could be utilised. More information on how other funders are monitoring and incentivising OA has been analysed by SPARC Europe in its survey of research funders in its 2019 report [Insights into European research funder Open Science policies and practices](#) and the accompanying dataset.

Q62. Do you foresee any positive and/or negative implications of UKRI's proposed OA policy for the research and innovation and scholarly communication sectors in low-and-middle-income countries?

Yes / No / Don't know / No opinion.

If yes, please expand, referencing specific policy elements and including any comments on how UKRI could address any issues identified (2,650 characters maximum, approximately 400 words).

Benefits are increased access to HSS and book research for scholars and the general public through increased open access.

Threats: If funding is provided for scholars in the UK to publish in OA by paying for BPCs, this will sideline those without the funds to publish OA. It is therefore important for UKRI to dedicate funds to different business models to open up books in future, thereby stimulating collaboration across Europe and also investing in open infrastructure such as publishing platforms to facilitate publishing and open access.

Furthermore, were CC-BY-ND insisted upon, this would impinge access to UKRI funded content currently in the English language to those who wish to translate it.