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Committee

Open Access

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Additional written evidence

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Business, Innovation and Skills Committee

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List of additional written evidence

	<i>Page</i>
1 Academy of Social Sciences	Ev w1
2 African Studies Assn of the UK and SCOLMA	Ev w5
3 Agricultural Economics Society	Ev w9
4 American Philological Association	Ev w10
5 Antiquity Publications Ltd	Ev w11
6 Association for Child and Adolescent Mental Health (ACAMH)	Ev w12
7 Association for Learning Technology	Ev w13
8 Association of Medical Research Charities	Ev w18
9 Authors' Licensing and Collecting Society Ltd	Ev w19
10 Professor Stephen Bailey and Professor John Bell	Ev w21
11 BMJ Group	Ev w22
12 British Academy of Management	Ev w25
13 British Agricultural History Society	Ev w25
14 British Association for American Studies	Ev w26
15 British Association for Slavonic and East European Studies	Ev w27
16 British Educational Leadership, Management and Administration Society	Ev w28
17 British International Studies Association	Ev w29
18 British Library	Ev w34
19 British Ornithologists' Union	Ev w36
20 British Psychological Society	Ev w39
21 British Sociological Association	Ev w41
22 John Bynner, Emeritus Professor of Social Sciences in Education, Institute of Education and Harvey Goldstein, Professor of Social Statistics, University of Bristol	Ev w48
23 Cancer Research UK	Ev w49
24 Peter Carroll	Ev w51
25 The Chartered Institute of Library and Information Professionals	Ev w54
26 The Classical Association, The Institute of Classical Studies, University of London, The Society for the Promotion of Hellenic Studies, The Society for the Promotion of Roman Studies	Ev w55
27 Council for College and University English and the English Association	Ev w57
28 Council of University Classics Departments	Ev w63
29 Creative Commons Corporation and Creative Commons UK	Ev w67
30 Professor Stephen Curry	Ev w69
31 Emerald Group Publishing Limited	Ev w70
32 European Group for Organization Studies	Ev w75
33 The Fisheries Society of the British Isles	Ev w76
34 Frederick J Friend	Ev w77
35 Geological Society of London	Ev w79
36 Professor Abby Ghobadian, Professor Yehuda Baruch and Professor Mustafa Özbilgin	Ev w81

37	Tony Hey	Ev w82
38	Editors of History Journals	Ev w86
39	History UK (HE)	Ev w88
40	Professor John Houghton and Dr Alma Swan	Ev w93
41	Institute of Mathematics and its Applications	Ev w94
42	Institute of Physics	Ev w95
43	Institute of Science and Technology	Ev w97
44	(Editorial Board of the) Journal of Commonwealth Literature	Ev w98
45	(Editorial Board of the) Journal of Southern African Studies	Ev w99
46	London Mathematical Society	Ev w102
47	Dr Heather Morrison	Ev w105
48	Ross Mounce	Ev w107
49	Professor Peter Murray-Rust	Ev w110
50	National Union of Students	Ev w111
51	Open University	Ev w112
52	Physiological Society	Ev w114
53	The Publishers Association	Ev w117
54	Regional Studies Association	Ev w121
55	Remote Sensing and Photogrammetry Society	Ev w122
56	Research Libraries UK	Ev w125
57	Rolls Royce plc	Ev w127
58	Royal Anthropological Institute	Ev w129
59	Royal Astronomical Society	Ev w130
60	Royal Economic Society	Ev w133
61	Royal Entomological Society	Ev w135
62	Royal Geographical Society (with IBG)	Ev w136
63	Royal Historical Society	Ev w141
64	The Royal Society	Ev w143
65	Royal Society of Chemistry	Ev w144
66	Royal Statistical Society	Ev w148
67	SAGE Publications Ltd	Ev w151
68	Social History Society of the UK	Ev w153
69	Society of Biology	Ev w156
70	Society for Research into Higher Education	Ev w159
71	Socio-Legal Studies Association	Ev w164
72	Dr Dan Stowell	Ev w167
73	Tavistock Institute of Human Relations	Ev w168
74	Dr Michael P Taylor	Ev w171
75	Kathryn Toledano	Ev w175
76	Ubiquity Press	Ev w176
77	UK Computing Research Committee	Ev w178
78	United Kingdom Council of Research Repositories	Ev w179
79	University Association for Contemporary European Studies	Ev w182
80	University College London	Ev w183
81	University Council for Modern Languages	Ev w185

82	University of Hertfordshire	Ev w186
83	University of Leeds	Ev w188
84	The Wellcome Trust	Ev w189
85	Wiley	Ev w193
86	Zoological Society of London (ZSL)	Ev w194

Written evidence

Written evidence submitted by The Academy of Social Sciences

EXECUTIVE SUMMARY

- The Academy of Social Sciences counts 46 of the social science Learned Societies and more than 850 of the country’s most distinguished social scientists amongst its membership. Both groups have expressed a range of concerns over the implementation of Open Access publishing.
- The Academy is in favour of the principle that the results of publicly-funded research should be more readily available to researchers outside the academic sector and to the public at large. However, we are concerned that that there has been insufficient reflection on the potential impacts on the ecosystem of academic publishing and Learned Societies’ business models and work of a move to mandated Open Access. The Academy’s main concern is that the Finch Group’s recommendation for an ordered transition may not be being implemented.
- RCUK has said informally that embargoes of 24 months will be accommodated in the transition phase. We would welcome formal confirmation of this. Our view is that, in the absence of firm evidence on the impact(s) of embargoes of different lengths on sustainability and excellence in the research and publishing infrastructure, it is unwise to commit to scenarios where longer embargoes are ruled out. Until we actually know how either 1-year or 2-year embargoes work in relation to sustainability and excellence, the best course is to go into the transitional period, mindful of the potential risks of a rapid move towards 12-month embargoes, and to use the time to collect robust evidence of the consequences of embargo restrictions on consumer behaviour, stakeholder incomes and the value-adding activities of Learned Societies.
- The nature of the “managed transition” to OA is crucial to its eventual success, and to support from within the HSS community. The Academy’s vision of this transition rests on the following features:
 - That the transition period is entered into openly, with an emphasis on robust evidence-gathering to assess properly what works to preserve the UK’s highly-rated research infrastructure and prestige publications.
 - That the transition period is not rushed or truncated; that sufficient resources are available for adaptation to new business models for publishing compatible with OA.
 - That excellence and international standing are carefully monitored in the implementation process, with the option of delaying or reframing processes should risk and/or damage to research or publishing systems be observed.
 - That stakeholders, researchers, funders and Government communicate effectively and respect one another’s concerns, using proper evidence to adjudicate between competing claims.
 - That there is no imposition of a “one-size-fits-all” solution to the issues of implementation of OA as it is already clear that different academic disciplines and different publishers and varied HEIs will each experience distinctive impacts in the move towards Open Access publishing.

SUBMISSION

1.1 The Academy of Social Sciences counts 46 of the social science Learned Societies and more than 850 of the country’s most distinguished social scientists amongst its membership. Both groups have expressed a range of concerns over the implementation of Open Access publishing.

1.2 The Academy is in favour of the principle that the results of publicly-funded research should be more readily available to researchers outside the academic sector and to the public at large. However, we are concerned that that there has been insufficient reflection on the potential impacts on the ecosystem of academic publishing and Learned Societies’ business models and work of a move to mandated Open Access. These issues were amongst those aired at a major 2-day conference which the Academy staged at the end of November 2012 (<http://www.acss.org.uk/OAConfNov2012.htm>). The Academy’s main concern is that the Finch Group’s recommendation for an ordered transition may not be being implemented. It will take some time to establish what works to sustain publication rates, academic excellence and scholarly activity in an Open Access world. The Academy is anxious that in the rush to full implementation, perceived risks to the research infrastructure are being downgraded without adequate evidence.

1.3 The Finch Report’s emphasis on managing change over time has at times seemed in danger of being sidelined in the discussion over attaining OA in the UK.¹ The Academy’s questioning of the way in which the Report’s recommendations are being implemented, echoes issues raised by Lords in the Science and Technology Committee in Dame Janet Finch’s oral evidence session on 15th January 2013. The Academy made a written submission to the House of Lords Science and Technology Committee inquiry into Open Access publishing in January this year.

¹ For example, Finch *et al* state: “The key policy questions are how to promote and manage the shift in an ordered way which delivers the benefits but minimises the risks” and further that, “the costs [of transition to OA] could be higher than we estimate. But that risk can be managed by slowing the pace of transition” (Report of the Working Group on Expanding Access to Published Research findings—Executive Summary (2012): 4 and 10)

1.4 The Academy is responding to the BIS Committee's invitation to provide written submissions to its inquiry into the Government's Open Access policy, using the topic headings indicated by the Committee.

The Government's acceptance of the recommendations of the Finch Group Report "Accessibility, sustainability, excellence: how to expand access to research publications", including its preference for the "gold" over the "green" open access model

2.1 The Academy has comments related to the management of the transition to Open Access publishing. We view a rapid transition to "Gold" Open Access as potentially hindering the sustainability of publishing in our disciplines, and that of the Learned Societies themselves. These typically use surpluses generated from publishing to support wider scholarly work. The "Green" Open Access model allows journal articles to continue to be supported by subscription, enabling income from subscription to be preserved through embargo periods.

2.2 "Gold" OA is the preferred option of RCUK's published policy. Arguably, the *immediate* free access to material provided by the "Gold" model is less of a prize for HSS than STEM, as articles in our disciplines remain cited over longer periods.

2.3 The Finch Group, and subsequently BIS, have recommended a "Green" route which allows 12–24 month embargo periods, with discretion for journals to set their own limits; RCUK has recommended a maximum embargo period of 12 months for ESRC- and AHRC- funded work, with work from scientific Research Councils complying with an embargo period of 6 months. The disparity between RCUK and Finch/BIS regarding embargoes has been a cause of controversy. There has been no formal statement from RCUK indicating a willingness to accommodate embargoes of over 1 year in length. The opinion of the Academy, and reflected in cautionary comments in the Finch Report, is behind a transitional period, during which embargoes of up to 24 months to persist, in a "mixed economy" of journals featuring "Gold" and "Green" OA articles. RCUK has said informally that embargoes of 24 months will be accommodated in the transition phase. We would welcome formal confirmation of this. Within the Academy these longer embargoes have widespread support. There is some evidence that 12 month embargoes may lead to libraries cancelling journal subscriptions. Our view is that, in the absence of firm evidence on the impact(s) of embargoes of different lengths on sustainability and excellence in the research and publishing infrastructure, it is unwise to commit to scenarios where longer embargoes are ruled out. Until we actually know how either 1-year or 2-year embargoes work in relation to sustainability and excellence, the best course is to go into the transitional period, mindful of the potential risks of a rapid move towards 12-month embargoes, and to use the time to collect robust evidence of the consequences of embargo restrictions on consumer behaviour, stakeholder incomes and the value-adding activities of Learned Societies.

2.4 The suggestion that funding for APCs should come at least in part from existing research funds, spreads limited funds further, and overlooks the fact that publishing is often by individual academics, who are not covered by Research Council grants, but who are nevertheless "publicly funded" as research-active employees of HEIs in receipt of block grants. This is particularly the case in our community. The question as to how APCs work in a situation where research premises are publicly funded, but a particular study is funded through a charity or trust, remains unanswered, and may require additional guidance. How researchers working outside HEIs are to cover the costs of APCs is also unclear.

2.5 The "Green" OA route is not cost-free: although articles deposited in repositories can be published without APCs, there is a cost to maintaining repositories and getting articles into publications from them. There is also a cost to obtaining and maintaining "discoverability" through navigation, linking and interactive services provided by on-line publication. How exactly these costs are to be covered once subscription income reduces remains unclear.

2.6 There are distinctive types of publication and "grey data", central to the practice of social science and humanities research which are apparently underprivileged by a "Gold" route to OA where funding for comes from "fresh" money via institutions. Monographs, collected essays, discussion papers, working papers and reviews of conference proceedings, are types of non-journal output which may suffer due to funding pressures under OA publishing, which is to be partially funded through existing research money.

Rights of use and re-use in relation to open access research publications, including the implications of Creative Commons "CC-BY" licences

3.1 RCUK has advised that all publicly-funded research should be licensed as CC-BY—which permits immediate commercial and derivative use of published papers' content. More recently, RCUK has said that CC-BY may only apply to "Gold" route publications. The more restrictive CC-BY-NC-ND licences—which require authors' permission for re-use of material—would apply to the "Green" route. Our membership seeks written reassurance from RCUK that this will be the case. HSS researchers prioritise protection of permission to cite, as interpretation and context of data and extracts are of central importance.

3.2 In HSS disciplines, citation from literary sources and re-publishing of copyrighted images are commonplace—there has been discussion concerning the capacity of CC-BY to accommodate permissions from third party sources. Clarification on this issue would be welcomed.

The costs of article processing charges (APCs) and the implications for research funding and for the taxpayer

4.1 Several issues relating to APCs were raised at the Academy's recent conference, including:

- the fact that there is a funding gap between the cost of the number of papers currently published and the money proposed to be provided for APCs by RCUK;
- concern over the OA mandate being imposed on research output for the 2020 REF;
- the lack of transparency over how institutions (Universities and sometimes publishers) will allocate APCs in practice.

This last point is crucial: if Universities hold the funding for publication under OA, and that funding is less than in the current system, there will have to be an allocation process—and it is not at all clear how this will operate. Even if overall funding should remain the same, there are still concerns that allocation would be managed by higher education managers, rather than editors and peers. Who decides, using what criteria, whether academic work is worthy of publication or not? If Universities want the highest return on investment in publication, the OA system may struggle to accommodate early career output, when the attractions of citations in premier journals by established names are likely to be strong. Furthermore for REF 2020 there are worries that “Gold” and “Green” options for publication may assume a hierarchical order, with “Gold” publications potentially seen as the most prestigious, and Green options viewed as second rate. Were these fears to be confirmed, there would be implications for the overall ranking and rating of UK academic departments and HEIs. Again, evidence is required to make an assured call.

4.2 The Academy is aware of various approaches adopted by HEIs responding to the new funding structures: allocating funding on a first-come-first-serve basis and postponing the decision on what to do when the money runs out until forced to do so; transferring the responsibility wholesale to journal publishers for them to decide; acknowledging that rationing will take place, but uncertain about how exactly it will occur. None of these variants is reassuring for academic freedom to publish innovative or adventurous work, nor for overall transparency. We could see a new system being introduced without sufficient time to explore sustainable options: potentially a “real-time” experiment with maximum exposure to risk.

4.3 As already covered in paragraph 2.5 above, there is anxiety because APCs are to be funded partly from existing resources. There may not be enough money to sustain current volumes of articles using APCs. Again, we refer the Committee to the unresolved issues around how APCs are to be calculated where University-employed staff publish charitably-funded research findings. As HEFCE policy on OA remains to be finalised, exactly how (and how much) research will be mandated to be OA-published through QR funding is uncertain. This affects particularly those scholars who publish without Research Council project funding.

4.4 The above concerns are brought into focus in Finch *et al's* comment that:

“Current funding regimes focus on providing access to research literature through libraries, via payments for subscription-based journals. Arrangements to meet the costs of APCs for open access publishing tend to be ad hoc and unsystematic. In the period of transition there are bound to be additional costs as both systems exist side by side.” (Report of the Working Group on Expanding Access to Published Research findings—Executive Summary (2012):6)

How precisely the extra costs are to be met remains uncertain. There is even uncertainty over the eventual level at which APCs will settle: while the Finch Report's mid-range assumptions suggested a charge of £1,750, others have gone higher, and it has been noted that HEIs have an interest in driving APC costs down, both to maximise return on investment and sustain the volume of publications. These uncertainties undermine confidence in an Open Access future.

4.5 Open Access could therefore represent an additional cost to the UK taxpayer, in order to cover APCs and “Green” routes to publication alongside. Against any such cost must be weighed the benefit of increased access to research-based publications. It is not clear that the cost-benefit analysis has been adequately carried out.

4.6 We have argued elsewhere (notably in our response to the House of Lords Science and Technology Committee inquiry last month) that a potential cost of rapid transition to “Gold” OA is the sustainability of Learned Societies. These Societies typically fund wide-ranging scholarly activity through surpluses generated by publication via subscription. The Academy contends that this wider scholarly work has a value to the taxpayer as well as to Societies' membership. By providing grant funding for research projects that may not receive backing from Research Councils, the Societies contribute to the diversity and innovation of research; by supporting postgraduate students and early-career researchers they help ensure that there is a healthy “pipeline” of well-qualified researchers to feed into institutional vitality and publishing markets; they advocate for competitive UK research at home and internationally, forging links with researchers in other countries and markets. They are therefore at the heart of putting research into practice by building communities of knowledge and communicating their findings. The introduction of APCs and mandated “Gold” OA must therefore be part of a landscape which permits a measured pace of change, allowing the work of Learned Societies to be sustained through a managed process of adaptation.

The level of “gold” open access uptake in the rest of the world versus the UK, and the ability of UK higher education institutions to remain competitive

5.1 Many of the prestigious social science journals are hosted outside the UK, with no compelling case to comply with UK policies. They may not wish to comply with “Green” route embargos of only one or two years; they may not alter subscription rates whilst offering “Gold” OA. The USA, as the largest research and publishing market in the world, is a key player. The Americans have not yet committed to OA, and as the dominant force in global social science publishing, and with US researchers subscribing in large numbers to UK social science journals, their decisions about OA will have decisive impact here. At the Academy’s November conference, Dr Felice Levine, who directs the American Educational Research Association, suggested that the US government “will not quite follow the Finch report”: it will support the move towards the principle of OA, but without prescribing how it should come about. In this scenario, US Learned Societies may have time to develop and test various business models on the way to full implementation, an opportunity potentially being denied their UK counterparts.

5.2 The UK produces 6% of published research worldwide. The rest of the world is at various stages on the route to adopting OA, and with some diversity of preference for “Gold” or “Green” routes. This means that there is going to be a “shake-out” period of **uncertain length, during which OA practices will spread unevenly, and interim costs will** vary country-by-country. It is a climate of great uncertainty as even the strongest proponents of OA acknowledge. Whilst the benefits of OA are largely undisputed, the costs are both contested and unevenly distributed within and between countries.

5.3 The UK’s early lead on OA leaves a number of questions unresolved:

- If articles are co-authored by academics from different countries, not all of whom are OA-compliant, what proportion of the cost of publication is covered via APCs in the “Gold” route?
- If it is cheaper to publish under existing rules than under OA, how will we guard against UK research becoming less attractive to publish than that from non-compliant countries?
- If OA becomes the preferred standard for high-income countries, what happens to the market for research by authors in emerging economies?

As with the other areas of concerns outlined above, the OA model offers many opportunities for the future of UK research, but it is uncertain how the possible negative consequences can be avoided, *given the rapid pace of change*.

5.4 Last month the Academy recommended that the House of Lords Science and Technology Committee undertake a more detailed inquiry into OA, taking on board the widespread concerns over implementation in our constituency. We have not yet heard whether this recommendation has been taken up. Given the complex issues raised by OA, and the uncertainty over the magnitude and distribution of costs attached to implementation, we urge the Government to attend to our desire for a managed transition over time, thus ensuring that excellence and innovation are preserved in all academic disciplines, and that the current ecosystem of research and publishing is adapted to meet change, rather than damaged by it.

5.5 The nature of the “managed transition” to OA is crucial to its eventual success, and to support from within the HSS community. The Academy’s vision of this transition rests on the following features:

- That the transition period is entered into openly, with an emphasis on robust evidence-gathering to assess properly what works to preserve the UK’s highly-rated research infrastructure and prestige publications.
- That the transition period is not rushed or truncated; that sufficient resources are available for adaptation to new business models for publishing compatible with OA.
- That excellence and international standing are carefully monitored in the implementation process, with the option of delaying or reframing processes should risk and/or damage to research or publishing systems be observed.
- That stakeholders, researchers, funders and Government communicate effectively and respect one another’s concerns, using proper evidence to adjudicate between competing claims.
- That there is no imposition of a “one-size-fits-all” solution to the issues of implementation of OA as it is already clear that different academic disciplines and different publishers and varied HEIs will each experience distinctive impacts in the move towards Open Access publishing.

**Written evidence submitted by the African Studies Association of the UK (ASAUk) and SCOLMA
(the UK Libraries and Archives Group on Africa)**

INTRODUCTION

1. The ASAUk is the UK learned society for African studies, recognised by the British Academy, and with an emphasis on scholarship in the humanities and social sciences. Its members are academics, journalists, broadcasters, civil servants and others with an interest in Africa. It is a voluntary organisation, governed by a Council drawn principally from the UK academic community. We facilitate links between UK and African institutions and scholars, support scholarly journal publishing in and on Africa, and support the exchange of ideas in and about Africa.

2. SCOLMA (the UK Libraries and Archives Group on Africa) is a forum for librarians, archivists and others concerned with African studies materials in libraries and archives in the United Kingdom. Its activities include publishing a journal, organising conferences and seminars, and offering networking opportunities and advice.

3. Considerable uncertainty exists about the ways in which open access may impact on the academic system. This submission reflects specifically on the potential implications of open access in African studies, but as a multi-disciplinary field, many of the concerns raised are relevant to the humanities and social science more broadly.

4. In addition to exploring the challenges for UK based researchers, we are concerned to address the implications for colleagues in African universities, who are vital partners in our research activities. It is our firm belief that the health and future prosperity of the UK African studies community will depend on the health and prosperity of scholarship in Africa's higher education and research institutions, and that a strong African studies sector in the UK contributes to African research and higher education. Moreover, as African economies are among the fastest growing in the world at present, building strong institutional links with their growing higher education sector will produce important opportunities for collaboration across society.

5. The importance of a strong research sector in Africa has also been identified by the Department for International Development (DFID), through its 2008–13 research strategy,² and by parliament, through a recent inquiry by the Science and Technology Committee. The Committee's report concluded that: "Scientific capacity building—a process that enables countries to shape and sustain their own long-term development—is important in international development"; and that "Scientific research collaboration between UK researchers and their partners in developing countries are valuable to both parties and should be actively encouraged by funders of research in the UK".³

6. The UK is amongst the most important centres of research and scholarly publishing on Africa. The UK research community publishes the world's leading and oldest journals in African studies, including, amongst others: African Affairs (Royal African Society journal, since 1901) Africa: Journal of the International African Institute, (since 1928) and an array of journals established in the decolonisation/post-colonial periods: the Journal of African History (since 1960); the Journal of Southern African Studies (since 1974); the Journal of Eastern African Studies; the Journal of Modern African Studies (since 1963); Azania; the Journal of African Cultural Studies (since 1988); the Journal of African Law (since 1957); the Review of African Political Economy (since 1974); and African Research and Documentation (since 1973).

SUMMARY

7. We strongly support efforts to increase access to scholarly work *on* Africa and *in* Africa, in the continent's teaching and research institutions. As such we firmly endorse the principles on which open access is founded—namely access to research publication irrespective of ability to pay and the free circulation of ideas and evidence derived from academic research. We recognise that significant increases in the cost of journal subscriptions have become unmanageable for many university libraries (although not typically for the journals noted above), and that a shift towards open access publishing has the potential to progressively advance the availability of journals, to reduce the subscription burden on libraries and readers, and to open up new opportunities for the circulation and discussion of humanities and social science scholarship. This is of particular concern given our work with researchers in African and other low income countries.

8. While there are many important benefits to be realised from a transition to open access publication, the rapid implementation of current policy is of concern to us if it occurs without opportunities for broader and more inclusive discussion of the implications of the Finch recommendations, particularly in the humanities and social sciences. We have serious concerns about how the ways in which the *implementation* of open access, as currently expressed in government policy, will impact both the work of academics in the UK, and that of our colleagues and peers in African institutions.

9. Open access is commonly framed solely as a matter of *access*. Often neglected is the issue of *participation*. Participation requires that researchers and readers are both able to *contribute to* as well as *consume* scholarship.

² Department for International Development (2008) *DFID Research Strategy 2008–2013* <http://www.dfid.gov.uk/Documents/publications1/research-strategy-08.pdf>

³ House of Commons Science and Technology Committee (2012) *Building scientific capacity for development*. Fourth Report of Session 2012–13 <http://www.publications.parliament.uk/pa/cm201213/cmselect/cmsctech/377/377.pdf>

It is vital that the elimination of barriers to access for readers do not lead to barriers for authors seeking to publish.

10. Our concerns relate specifically to:

- (i) the fact that the particular ways in which scholarship is conducted and published in the humanities and social sciences have been neglected in much of the discussion;
- (ii) the fast speed of the transition from subscription to open access publishing, without sufficient time to fully explore the implications of these changes;
- (iii) the risks of seriously jeopardising the vital work of learned societies in the short to medium term;
- (iv) the potential limits to academic freedom to publish, and the distortions that may be created through the allocation of APCs by administrative mechanisms within universities;
- (v) the risk of creating further inequalities in the academic research and publishing system, both in the UK, and between the UK and Africa.

PUBLISHING AND LEARNED SOCIETIES

11. Learned societies are a vital part of the UK research environment. Through their direct organisation of conferences, and provision of funding to support conferences convened by their members, through the award of research and travel grants, and through support for publication, they significantly advance academic work. Learned societies are particularly important in the support they offer to postgraduates and early career academics, many of whom lack alternative and institutional sources of funding. They also help to ensure that researchers beyond the London-Oxbridge circles are able to participate in events and to stay connected, particularly important for those who work outside of substantial centres of African studies.

12. Learned society publishing accounts for around 50% of the top journals as measured by the Thomson Reuters Impact Factor. As in other fields, some of the UK's African studies journals are published on behalf of scholarly societies or under collective ownership models. Subscription revenue from titles is thus ploughed back into scholarship in the ways outlined above. If subscription revenue from publishing is lost, societies will be unable to offer this vital support. The loss of a subscription journal would not only remove the direct subscription income received from libraries throughout the world, but may also lead to declines in membership revenue, if a journal subscription is no longer offered as a principal benefit of membership.

13. Societies will need time to identify and make the transition to alternative revenue bases. In the case of some learned societies, whose major activity is the publication and communication of scholarly knowledge, it is not at all clear what these alternative revenue sources would be. Full open access may not be an economically viable model for societies, particularly for smaller organisations; without alternative sources of income they may be forced to close.

14. As vital parts of the UK research environment, it is important that while the implications of open access are explored, and alternative revenue models investigated, the activities of learned societies are not damaged in the interim.

EMBARGO PERIODS IN HYBRID OR GREEN PUBLISHING

15. It seems likely that a mixed or hybrid publishing system will emerge, whereby some journals operate on both "gold" (free access to readers, APCs charged)⁴ and "green" (subscription access, free to publish) models according to the preference of authors, their universities, their funders or their ability to pay. As the Finch report stated, a mixed economy of "green" and "gold" open access is likely to be the realistic option in the medium term.

16. The "green" model allows authors to self-archive a copy of a paper in an institutional or disciplinary repository and to make it freely available after an embargo period, determined by the period a publisher feels is necessary to ensure a commercial advantage, or by sustainable business models in the case of the learned societies and university presses. Humanities and social science articles tend to have a longer half-life than those in STEM subjects, meaning that they do not receive as many of their citations as soon after publication, and continue to receive a higher level of citations for a relatively longer period post-publication. In some disciplines (eg history) duration of impact (half-life) may be a more important criteria than immediacy. As a result, publishers are likely to require longer embargo periods to ensure libraries do not cancel subscriptions.

17. The BIS statement of 16 July 2012 suggested a two-year embargo for disciplines where it would take longer to "secure payback". Current RCUK policy specifies a maximum embargo of 12 months for research funded by the AHRC and ESRC.

18. It is unclear at present whether subscriptions to journals will be reduced in the context of open access. At the same time, it is possible that library budgets will be reduced in anticipation of such a reduction, and as universities re-allocate monies towards APCs. If this happens then there will be reduced access in the UK to research published elsewhere, and probably to titles that may be considered of marginal value, but which

⁴ We note that not all "gold" OA journals charge APCs

remain important to specialists. This could have significant implications for the international connectedness of UK scholars, and their ability to collaborate with colleagues around the world.

AUTHOR PROCESSING CHARGES

19. The “gold” model is premised on the payment of an author fee in order to publish. Unlike in the STEM subject, much work in the humanities and social sciences is undertaken with relatively modest grant income. The Research Councils are not the primary funders of humanities and social sciences work and this is certainly the case in African studies; much work is effectively only part-funded, from the limited time available to academics as part of salaried positions or via sabbaticals. The British Academy expects that for many university-based researchers, humanities and social science publishing will need to be supported from quality-related (QR) funds, provided by HEFCE and the other national funding councils; these seem unlikely to be sufficient to meet the likely demand for APCs. There is a danger that important African studies scholarship could lose out in internal department competition for limited publication funds as a result.⁵

20. There are also many independent researchers in African studies, and in the humanities and social sciences more broadly, as well as self-funded PhD students, who will entirely lack funding to cover APCs. This is particularly so for early career researchers. Unlike in the sciences, where early career researchers publish with their research team leader, in the humanities it has become vital for young researchers to publish several articles, and often a book, under sole-authorship. This is usually done prior to their receiving more permanent lecturing work, and the new system of APCs will seriously hamper the career progression of such researchers as a result. This has extremely serious implications for the diversity of the British academic community, and the ideas discussed within it.

21. Managing APCs will require new mechanisms within universities to allocate limited funding. The allocation and administration of publication funds within universities could have serious implications for the freedom and ability of academics to publish their work, if decisions on where and what to publish are effectively removed from individual academics and handed to administrative structures, or to colleagues less familiar with the detail of the research in question. If the “gold” model is favoured, the number of papers an academic is able to publish may be rationed according to the availability of funding, and a university’s willingness to pay to publish particular work. This may introduce new inequalities within departments.

22. The overall costs of covering APCs for universities are currently unknown. The Open University has estimated that, to reach the minimum suggested level of 45% of articles published as “gold” open access in 2013/14, it would need to find an additional £740,000 per annum.⁶ Ultimately universities hope to be able to re-allocate parts of their journal purchasing budgets towards the costs of author fees although, as noted above, this may not prove to be the case. The administrative mechanisms and time needed to manage APC funds, and to determining what is published, will also incur costs.

23. It seems likely that postgraduates and early career academics will struggle to access departmental funding to publish. It is also possible that the pressures of the Research Excellence Framework (REF), and the need to demonstrate research impact, will lead to some work being supported for publication while other work is not. This could potentially seriously infringe the principle of academic freedom, and could act to discourage new and innovative publications which challenge existing paradigms; at present decisions on the validity and worth of an argument are made by external peer reviewers, rather than by departments. Researchers could also be pushed towards publish in journals which offer lower APCs, with less regard for their suitability. While online and open access will undoubtedly enhance the discoverability of articles wherever they are published, we believe that journals will continue to serve as important ways of focusing and organising academic debate and will continue to provide some measure of prestige and reputation and quality control.

24. It is possible that further inequalities will be created within the UK university system. Academics in universities which receive proportionally less of UK research funding are likely to encounter particular problems in publishing their work, as these institutions will receive proportionally less of any additional APC funding made available. Current policy could further concentrate research in a smaller number of centres, and could restrict career mobility within the university system as a result. Wealthier universities, potentially able to publish more in gold journals, will also be in a position to make their work more open and more visible.

RIGHTS OF USE AND RE-USE AND CREATIVE COMMONS “CC-BY” LICENSING

25. The implications of CC-BY licenses for the humanities and social sciences are still uncertain, and we therefore feel that this is an area which merits significant further exploration and consultation with researchers. Under the proposed CC-BY licensing, research can be remixed, altered or translated by for profit entities, without the express permission or approval of the copyright holder or author. The primary aims of CC-BY licensing appear to be related to providing access to the underlying data within a publication, however in many

⁵ British Academy submission to the House of Lords Select Committee on Science and Technology on the implementation of open access for published academic research findings, January 2013 <http://www.britac.ac.uk/templates/asset-relay.cfm?firmAssetFileID=12194>

⁶ “Implications for individual researchers”, Presentation by Dr Tim Blackman, Academy of Social Sciences Conference on Implementing Finch, 29 November 2012: <http://www.acss.org.uk/docs/Open%20Access%20event%20Nov%202012/Blackman%20-%20implications%20for%20individual%20researcher%5D.pdf>

cases of humanities and social science research there is no underlying data to which to provide access; instead an article presents a personal interpretation of social phenomena.

ALTERNATIVE PUBLISHING MODELS

26. Online publishing and open access offer exciting new possibilities for scholarly publishing. Established initiatives in the STEM subjects such as PLOS and BioMed Central have demonstrated potential new models, as have a host of smaller initiatives. A new project, the Open Library of Humanities, is exploring similar models for the humanities and social sciences. These initiatives may offer considerable value to the humanities and social sciences, however, there are still at a very early stage.

27. We acknowledge that the move towards open access publishing does not in principle impact on the quality of academic publishing and that open access publishing does not in itself remove peer review or editorial contributions. Nevertheless, a number of emerging open access publications have also chosen to adopt alternative editorial arrangements, informed either by cost or speed of publishing or both. In some instances, for example, journals have opted for a dispersed editor model, with editors sourced for each individual article but with no single editor or editorial team for the journal as a whole. In the African studies community, we feel that the role of an experienced editorial team can considerably improve the quality of published work, making individual articles more effective at communicating complex arguments, and contributing significantly to the careers of individual scholars and their ability to participate in the scholarly community as a result. This is particularly significant in the case of scholars who lack good institutional support, in the form of supervisors or the supportive research environment of an academic department.

28. The lack of good local, institutional support for publishing is a situation which pertains in many African HE institutions. The ASUK has been addressing this by providing intensive writing workshops conducted by the editors of the journals listed above. Recognised by the British Academy as an effective initiative to redress the imbalances in African scholarship these workshops are facilitated by experienced and specialist journal editors and supported financially from income derived from journal subscriptions.

29. While such new publishing models are explored and refined it is important that existing scholarly activity is not damaged by undermining existing approaches to publishing before viable alternatives have been developed.

PUBLISHING OUTSIDE OF THE UK

30. International scholarship and collaboration is fundamental to African studies. It is therefore important that UK academics retain the ability not only to publish outside of the UK, but to be able to return such papers in the REF; if UK policy imposes conditions which are not by non-UK journals, the ability of UK academics to publish in the most appropriate venues, and to engage in vital international collaboration may be constrained.

31. It is also vital that UK journals receive international contributions. This maintains their reputation and global relevance, and by extension the UK's reputation as a global leader in research. The government's current proposals threaten this capacity. It is unlikely that a country which does not operate an APC system will be prepared to pay for their academics to publish in British journals. This could mean that UK journals are progressively stripped of a global audience, as scholars opt to publish elsewhere.

32. In the long term, this could threaten the dynamism of British academic life, and the world-class reputation of British universities. If British academics are unable to publish in journals outside the UK, and non-British scholars cease to publish in British journals, the international reputation of UK scholarship could decline. This could have important impacts on the global reputation of British universities, and the likelihood of leading students and thinkers wishing to further their careers here.

OPEN ACCESS BOOK PUBLISHING

33. To date the Finch report and subsequent Government response have dealt only with journals. In humanities and social science research book publication tends to be particularly important, but there are few established models of OA publishing in these fields. It is vital that UK policy recognises and reflects the need of researchers in these fields to publish in this form, and that researchers are not penalised for an inability to publish open access as a result.

THE IMPLICATIONS OF OPEN ACCESS FOR AFRICAN UNIVERSITIES AND RESEARCH INSTITUTES

34. Open access publication offers some clear opportunities to African researchers. Specifically, it offers the potential to significantly increase access to international research literature, and to increase the visibility of African research (particularly through the repository model). These are important and significant gains. However, open access may also create new problems for African research, while existing obstacles remain.

35. African scholars encounter real difficulties in accessing scholarly work, wherever it is published. The situation has improved markedly in recent years thanks to a series of access initiatives, many of which have been supported by publisher philanthropy, and as a result of commitment to these principles by members of

the publishing collectives and learned societies,⁷ but despite steady improvements, internet connectivity and computing facilities remain significant barriers.

36. Full and equal participation in international scholarship requires that African researchers are also able to publish their own work—being producers as well as consumers of scholarship. Publishing is already a major challenge for many African researchers; the system of APCs is likely to present a significant additional barrier. While many publishers offer fee waivers, this is unlikely to be a sustainable option in the longer term, and African universities are unlikely to be in a position to meet the costs of publishing from their own budgets.

37. A strong research sector within Africa requires that Africa has a vibrant academic publishing sector of its own. Many African journals are relatively fragile, struggling to gain sufficient subscription revenue, and often driven by academic volunteerism. It is unlikely that journals produced within Africa will be able to move to the APC model in place of subscription fees, nor to waive fees to both authors and readers. Were they to implement APCs, African researchers able to secure fee waivers in UK journals could well be prevented from publishing in national and regional journals, undermining an important part of African scholarly infrastructure.

SUMMARY

38. We welcome the many opportunities which open access offers to African studies research, and to our peers and colleagues in African universities. However, we feel that open access, as it is currently expressed in UK government policy, could inadvertently serve to damage the level and quality of scholarship in African studies, and in the humanities and social sciences more broadly, and compound existing difficulties experienced by early career scholars, and by our colleagues in African universities. While being supportive of the overall direction in which open access seeks to move scholarship and publishing, we feel that some caution is needed. We would welcome the opportunity to discuss these issues with the Committee further, or to provide any further information that the Committee might require.

On behalf of

The Council of the African Studies Association of the UK

The Executive Committee of SCOLMA

The Editorial Board of the *Review of African Political Economy*

The Editorial Board of the *Journal of Eastern African Studies*

The Editorial Board of the *Journal of Southern African Studies*

The Editorial Board of the *Journal of African History*

Professor Steph Newell

President

African Studies Association of the UK

7 February 2013

Written evidence submitted by the Agricultural Economics Society

1. The Agricultural Economics Society⁸ (AES) welcomes this opportunity to provide evidence to the Committee in the form of the following memorandum.

2. The AES has survived and developed successfully as a mutual association of professionals in the academic, commercial and public sectors since 1926, largely on account of the subscriptions to its Journal.

3. The *Journal of Agricultural Economics* (JAE) is published in three issues per year, and is currently one of the leading Agricultural Economics and Policy journals in the ISI Journal Citation Lists,⁹ being the second most highly cited journal amongst a peer group of 15 leading international journals in the subject area.

4. In addition to the JAE, the Society in conjunction with the European Association of Agricultural Economists, also publishes an outreach journal, *EuroChoices*,¹⁰ in three issues per year, which aims to disseminate important research results and ideas to a wider policy audience than the typical readership of academic journals.

5. Without this extremely valuable subscription income, the sustainability of the Society in anything like its present form is extremely questionable. Without such a society, the profession of practicing and training applied (agricultural) economists would lack an organised forum for mutual support, discussion, collaboration, professional skills development, knowledge advancement, innovation and dissemination.

⁷ Eg Research4Life (www.research4life.org); the Programme for the Enhancement of Research Information (INASP, www.inasp.info/perii); EIFL licensing (www.eifl.net/licensing)

⁸ <http://www.aes.ac.uk/page.asp?ID=2>

⁹ <https://gateway.ncl.ac.uk/idp/AuthnEngine>

¹⁰ [http://onlinelibrary.wiley.com/journal/10.1111/\(ISSN\)1746-692X/issues](http://onlinelibrary.wiley.com/journal/10.1111/(ISSN)1746-692X/issues)

6. This danger is especially worrying at the present time, with the world facing the major challenges of resource depletion, climate change and sustainable economic growth for a still rapidly growing global population, with food supply capacities being severely stretched. The AES, in particular through its Journal, has been in the forefront of contributing to the analysis of these key public interest issues from an economics perspective. As the Finch report¹¹ (Executive summary) notes: “*there are risks to the intricate ecology of research and communication, and the support that is provided to researchers, enabling them to perform to best standards, under established publishing regimes. Concern about these risks may restrain the development of wider access if it is not managed in a measured way.*”

7. We certainly subscribe to the principle that knowledge should be freely available to all, and support the principle of the Finch recommendations and the clear policy direction towards support for “Gold” open access publishing, where publishers receive their revenues from authors rather than readers, and so research articles become freely accessible to everyone immediately upon publication (Gold OA).

8. However, we urge the Government, through your committee, to address three key issues arising from the Finch report and we await the Government’s response with interest:

- (a) More attention must be given to a viable green OA option since there will be insufficient funding for article processing charges (APCs); if embargo periods are too short, the subscription journals are at risk, as are the societies that heavily rely on the revenue they generate.
- (b) A review of a Creative Commons based licensing policy is required to ensure licenses provide enough flexibility; this should include considering other licensing options. In addition, we question the right to impose licensing policy on green OA articles.
- (c) More resources need to be committed to implementation in order to cover not just the cost of APCs but also of organising payment of APCs.

9. There is a clear need for full and proper consultation with learned and professional societies, and other associated stakeholders, to manage the efficient and effective transition towards more open access, while minimising the risks to the intricate ecology of research, development and communication.

10. There may be wider implications for learned societies that are heavily dependent on journal subscription income from the differential (in time and in method) adoption of OA across countries in terms of the incentives and disincentives to authors in publishing their research. This is an aspect which the Committee might also consider.

7 February 2013

Written evidence submitted by The American Philological Association

The APA, the principal learned society representing scholars and teachers of Classics located primarily in the US and Canada, is strongly committed to OA as a goal for all publication and research in the area of Classics. We recognise, however, that the move to OA raises complex and difficult issues, and we thus welcome the proposals made in the Finch Report to address these issues, many of which would be positive steps in the direction of OA. At the same time, the Finch report raises some significant concerns, which in our view must be addressed in any plan for implementing their recommendations. Many of these stem from the fact that the report views OA primarily as it affects medical and scientific research. Because conditions affecting the social sciences and humanities differ in several significant respects, we are concerned about the negative effects on research in Classics in the US and abroad.

1. Most research in Classics is single-author, and either is not funded or is funded by grants or fellowships that only provide relief from teaching; this leaves no consistent funding for author publishing charges (APCs). Requiring researchers to pay to have their work published would seriously burden those who are poor or not connected to a well-endowed institution; any system that favors the rich could significantly reduce the quality of journal publications.

2. Publication in the form of monographs or collections of essays is much more important in the social sciences and humanities than in the sciences. In Classics in particular, the proliferation of essay collections in the last few decades has meant that many senior scholars—those with the best access to APC funds—rarely if ever publish in refereed journals. Journals would therefore be left to recover the costs of publishing almost entirely from younger scholars, who are least able to pay.

We mention as a footnote that an experiment, funded by the Mellon Foundation, is underway in the US for an OA monograph series; it is too early to predict the results.

3. Classics, like many humanistic fields, is broadly international; indeed a good many APA members are housed in other countries, including the UK. Many journals publish articles in more than one language and scholars everywhere publish their work with presses and journals in many other countries. Any movement to OA in the UK alone, especially if a requirement for OA is included in future Research Assessments, would restrict the ability of UK scholars to have their work published, reduce the submission of papers to UK journals

¹¹ <http://www.researchinfonet.org/publish/finch/>

by non-UK scholars, and discourage journals in other countries from publishing the work of UK scholars. The harm done to the international exchange of ideas in Classics would be notable.

4. For all of these reasons, we strongly support the Conclusion of the British Academy's submission to the House of Lords Select Committee, that the special circumstances of the humanities and social sciences be particularly considered in planning the implementation of the proposed OA policies.

6 February 2013

Written evidence submitted by Antiquity Publications Ltd

1. EXECUTIVE SUMMARY

Antiquity Publications Ltd. is a charitable trust and the publisher of *Antiquity*, a quarterly review of world archaeology. Each year we publish around 80 articles in print and online, representing the work of around 250 authors from around the globe, and also publish an Open Access online-only Project Gallery of shorter research articles.

Antiquity's current business model is hybrid, with the vast majority of income brought in by institutional and individual subscriptions, and a very small percentage of income from Author Publication Charges (APCs) for the provision of Open Access journal articles.

Antiquity Publications Ltd. has a number of concerns regarding the government's Open Access strategy, in particular with regard to articles with multiple authors and funding strands, CC-BY licences and the definition of "public funding".

While we support the concept of providing public access to publicly funded research, we believe the proposed strategy requires further thought and may inadvertently undermine major UK-based journals.

1. INTRODUCTION

Antiquity Publications Ltd. is an independent charitable trust that publishes the academic journal *Antiquity*, a quarterly review of world archaeology. The current print run is 1800 copies, and the journal is also available online at www.antiquity.ac.uk. All authors whose articles are published in *Antiquity* are free to deposit their article's Version of Record in their institutional repository.

Antiquity is currently funded almost entirely by subscription, with around 25% of subscribers residing in the UK and a further 60% in Europe or North America. There are four levels of pricing offering different combinations of online and print access, with only the top level, Premium, giving access to the journal's online archive of all articles published since the journal was founded in 1927.

Our current OA outputs are the online Project Gallery and those articles that pay to be open to all on line. The latter are currently charged a fee of £750 which is in line with journals of similar status, and within a Research Council budget. However, this will need to be kept under review to ensure we are not losing useful authors through over-charging. Take-up of the Open Access offer has been very low, with one such print article published in 2012. Should the percentage of articles published as Open Access rise significantly, we would need to revise subscription prices down accordingly to maintain demand.

Only 21% of authors published in *Antiquity* in 2012 were UK-based, while 25.6% were unlikely to be able to pay APCs (based on region of origin: Eastern Europe, the Middle East, Africa, Asia and South America). The remaining 53.4% of authors were based in countries where research funding is readily available, but not always likely to include money to pay publishing charges. An unintended consequence of gold Open Access would therefore be to drive authors to publish in journals based outside the UK. This applies to all authors, not only those based outside the UK; the number of articles in which a grant from a UK publicly funded body was acknowledged was only 13.4% on average over the period 2010–2012.

2. CONCERNS WITH THE CURRENT MODEL PROPOSED BY UK FUNDING COUNCILS

2.1 We have identified a number of questions and concerns with regard to the Government's current OA strategy that relate not to *Antiquity's* own sustainability but to the publishing sector and academic authors in general:

2.2 The RCUK requirement that all publicly funded research should be made freely available from April 2013 onwards, via digital repositories, does not take into account the complexity of academic journal publishing, particularly with regard to humanities and social sciences (HSS) journals. In the case of *Antiquity*, the majority of our articles are authored by multinational teams of scholars, often funded by grants from multiple public and private organisations. In such a situation, who pays? And what proportion? A British author in receipt of an RCUK grant might in essence be subsidising their foreign co-authors. Furthermore, it is unclear whether the the research needs to be 1% or 100% publicly funded in order for the Open Access requirement to apply. There are many variables which do not appear to have been taken into consideration by the proposed Open Access strategy.

2.3 Of major concern is the requirement that articles be published in repositories under a CC-BY licence, essentially negating the author's moral rights and the publisher's (or author's) copyright. A CC-BY licence allows commercial re-use, which may seem of little concern considering the material will be freely available anyway. The implication, however, is that the UK public pays for work to be published which can then be sold for commercial gain by anyone worldwide, entirely negating the principle of copyright.

2.4 Disregarding any potential monetary gain to the author or publisher from holding copyright, our biggest concern about publishing under a CC-BY license is the ability of any third party to amend and disseminate another author's work. As the ALPSP response to this Select Committee points out, this could have grave consequences in fields such as medicine, and has the potential to damage the reputation of authors in any field if their work can be altered and disseminated without their knowledge. The inclusion of content for which the author or publisher does not hold copyright muddies the waters further, and could lead to multiple versions of an article existing, some with the third-party-copyrighted material removed. Research would be greatly diminished if authors were to use inferior examples, images or other material in their work in order to avoid third-party copyright complications.

2.5 We seek clarification of the term "publicly funded"? If this includes UK universities, almost all research articles with a single UK-based author will be required to pay APCs, regardless of the same paper's foreign co-authors. The consequence might be that UK authors will end up paying for the rest of the world to publish research, which they will then be able to access for free in perpetuity. UK intellectual property is an asset which should not be given away so freely when few other nations are reciprocating.

3. CONCLUSIONS

Open Access is an ideal, and one with many merits, but the RCUK's requirements require further thought and adjustment. It will be damaging to force UK journals into a "one size fits all" model that does not take into account their diverse author, reader and funding profiles. If the UK persists with its current Open Access plan, there is a considerable risk of UK research becoming marginalised and losing its influence and of UK universities losing their place in world rankings. While a move towards Open Access is inevitable, there needs to be flexibility while we wait to see if the rest of the world intends to follow suit.

Until Open Access is widely adopted worldwide, *Antiquity* will continue with a hybrid business model, with the option to publish as Open Access for a fee, but with the majority of income coming from subscriptions. Attempting to move to a fully Open Access model prematurely would require publicly funded UK authors to shoulder considerably more than their fair share of the journal's production costs in order to subsidise foreign authors who cannot, or whose funders will not, meet the cost of APCs.

Professor Chris Scarre
Editor *Antiquity*

7 February 2013

Written evidence submitted by The Association for Child and Adolescent Mental Health (ACAMH)

The Association for Child and Adolescent Mental Health (ACAMH) welcomes the opportunity to submit to the Committee Inquiry on the Government's Policy on Open Access.

THE UNIQUE CONTRIBUTION OF LEARNED SOCIETIES

1. We welcome the Government's adoption of the Finch recommendations, particularly in relation to the report's preference for "gold" over the "green" open access model. However, we do not believe the Government have fully appreciated the unique role learned societies have in supporting scholarly and professional activities for the benefit of their members and the wider communities that they serve, in spite of the recognition of their special role by the Finch Report (viz. Sections 6.24, 8.15, 9.12, 9.24, 9.29 and 9.30).

2. In the case of ACAMH, our commitment is to the multi-disciplinary research and practice within child and adolescent mental health. We facilitate communication and engagement between researchers, professionals and policy makers from a range of disciplines (principally but not exclusively in child psychology, child psychiatry and adolescent mental health) to advance standards and support the professional development of all those working to support the mental health of children and young people.

3. In particular, we provide special opportunities for professional development and guidance to young researchers and early-career professionals at a key stage in their career through grants, reduced membership fees and special access to professional events and research conferences. While the majority of our 2000 members are based in the UK, our work has more recently extended into supporting professionals and researchers in developing countries such as Egypt and Bangladesh.

THE RISK TO THE WORK OF LEARNED SOCIETIES IN THE RCUK'S POLICY ON GREEN OA BASED ON A SHORT EMBARGO (SIX MONTHS)

4. ACAMH owns two peer-reviewed journals (published in association with Wiley-Blackwell), both of which operate as subscription-based journals, but under a “hybrid” model offering an open access option for individual articles.

5. The revenues produced by the two journals support our learned society activities and represent over two-thirds of our income. While we support making more of the publically-funded work available through a gold OA option, there will be a severe risk to the scale of these activities if the level of article processing charges (APCs) is not sufficient to make up for the loss of subscription revenue and the loss of subsidiary rights income implied by the requirement for a Creative Commons-BY licence.

6. The move to a green OA option with short embargo periods would lead to a rapid loss of subscription income, with no compensating APCs to replace the lost revenue, and imperil our ability to move to a sustainable, viable gold OA model, with all the advantages that would offer for the ability of UK higher education institutes to remain competitive and world class.

THE NEED FOR FULL AND PROPER CONSULTATION WITH THE SOCIETIES AND OTHER KEY STAKEHOLDERS

7. Consultation up to now has failed to recognise the position Learned Societies hold in supporting research and practice and professional development in key areas such as child and adolescent mental health, and the unique value and opportunities they provide to early-career researchers and trainee professionals.

8. There are viable routes to open access, but these require close attention to their potential impact on the full range of disciplines and professional activities. We urge the government to work with the learned societies to develop a policy that will open access without sacrificing academic freedom, academic quality and high-quality support to those working with vulnerable members of society such as children and young people with mental health and developmental disorders.

9. A review of Creative Commons based licensing policy is required to ensure licences provides enough flexibility; this should include considering other licencing options. Careful consideration should be given to giving away non-scholarly, commercial rights that could support the viability of the scholarly publishing giving rise to the licensed work.

SUMMARY

10. The RCUK is taking on a huge challenge with little experience or evidence to guide it. As a learned society stakeholder, ACAMH is keen to work with all other stakeholders to assist in maintaining the UK's leading position in scholarly communication, but without sacrificing the unique role that learned societies have in fostering wider professional and scholarly activities. Our concerns fall under four main headings:

- (a) recognition of the unique role that learned societies have, particularly in the support and nurturing of early-career development of researchers, professionals and trainees;
- (b) more resources need to be committed to ensure APCs cover all the costs of publishing scholarly journals and the loss of income resulting from the CC-BY licence requirements;
- (c) in addition to more attention being given to a viable gold OA option, recognition that if green OA embargo periods are too short, then subscription journals are at risk, as are the societies that rely on the revenue they generate; and
- (d) a review of Creative Commons based licensing policy is required to ensure licences provide enough flexibility without giving away rights that could support the viability of the scholarly publishing giving rise to the licensed work.

Edmund Sonuga-Barke

Editor-in-Chief of Journal of Child Psychology and Psychiatry
on behalf of the Association for Child and Adolescent Mental Health

7 February 2013

Written evidence submitted by The Association for Learning Technology (ALT)

INTRODUCTION—ABOUT ALT

1. The Association for Learning Technology (ALT) (www.alt.ac.uk) is the UK's leading membership organisation in the learning technology field. We are a professional body with over 1,000 individual members, and over 200 organisational and sponsoring members (including most of the UK's universities, a substantial number of colleges, government bodies such as BIS, and large and small UK and international IT companies as well as NUS). We run a peer-reviewed journal *Research in Learning Technology* (RLT) which has gone through two main transformations in access model (from print only to print and toll-access online, and then to print and fully Open Access) the experience of which provides the basis of much of our evidence. We hold a very successful three-day annual international conference with published peer-reviewed proceedings. We run a

competence-based accreditation scheme for learning technologists that is used internationally. We are a nominating body for the Research Excellence Framework panels, with nominees appointed to the Education panel and to the Computer Science panel for the 2014 exercise.

2. The learning technology expertise of our members allows us to have sight of the issues from a number of sometimes conflicting standpoints. We have academic authors who receive royalties for their works published through traditional mechanisms. We have links to publishers and an understanding of academic publishing in print and especially electronically. We are a professional and learned body that publishes a peer-reviewed journal. However, we are also a body with a strong interest in there being wide availability of information to learners, teachers and researchers through simple Open Access mechanisms. We are especially keen that students at UK learning establishments, a major funder in their own right, enjoy the benefits that technology brings. We are also keen to see the power of the Internet exploited to the benefit of society at large and worldwide, with information being increasingly a common good rather than the basis of restricted practices. What follows is therefore a submission that is hopefully balanced and based on the views of researchers, article contributors, article consumers including practitioners, students (a good proxy for the general interested public), and industry.

FACTUAL INFORMATION

Concentration and change

3. The Internet and the World Wide Web have changed many aspects of the ways in which knowledge is shared and mediated. Industries such as music and newspapers have changed rapidly and substantially, often involving a significant disintermediation process. The academic publishing industry is changing, as are libraries, but with very uneven disintermediation. For instance, learners, teachers and researchers increasingly access all the information they require on line rather than by visiting a library and yet subscribing libraries still feel the need to retain, feed and water a back-catalogue in print and therefore there is a strong tendency towards lock-in. It is hard to see why this is necessary except for the copyright libraries.

4. There are other ways in which scholarly publication, dominated by four big businesses (down from 8 15 years earlier), has remained relatively unscathed:

- the business-model is typically still subscription-based, so usage is not paid for at the point of use;
- publishing contracts are often long and complicated and slow to get changed, especially for smaller learned societies, many of whom lack the muscle and experience to deal effectively with large publishers;
- churn in journals remains low—it is very hard to establish and get good reputations for new ones, especially in new subject areas—and so old models of knowledge and their relative importance tend to be reinforced.

Evidence from Research in Learning Technology (RLT)

6. Learning Technology is a relatively new field but our peer reviewed journal has been published since 1993, initially as a conventionally published journal. In 2009 ALT established an ePrints based Open Access Repository—<http://repository.alt.ac.uk>—into which, by agreement with the then publisher Taylor and Francis, RLT articles were placed after an 18 month embargo period.

7. In December 2010, following a competitive tendering process, we changed the publishing model for RLT from conventional to Open Access, with effect from January 2012. The change involved a change of publisher from one of the “big four” to a small specialist Open Access publisher based in Sweden.

8. RLT is now a “Gold” Open Access journal, published under a Creative Commons Attribution BY 3.0 license, with, importantly, no Article Processing Charges (APCs), and with a SPARC Europe Seal for Open Access Journals. We made the transition to Open Access without introducing APCs, whilst at the same time managing a small reduction in our organisational membership fees. For the moment we continue to make RLT available in print for a charge.

9. Switching to Open Access has sharply increased the use made of RLT’s content. During April 2011 Taylor and Francis made RLT freely but temporarily available (along with the content of many of its other education journals). This resulted in a six-fold increase in the number of full text downloads. Since switching to Open Access in January 2012, the number of full text downloads per month for the top 10 most downloaded of RLT’s articles has increased on average by a factor of 8.1 (range 6.2 to 11.5).

10. The average number of abstract views recorded per month has also increased—by a factor of 4.6 on the average monthly 2011 level, to nearly 18,000. The average number of full text downloads recorded per month increased by a factor of 9.6 on the average monthly 2011 level, to nearly 17,000.

11. It is important to note here that as soon as articles are made available as Open Access content, especially under the most open CC-BY license (which RLT uses), there is nothing to stop multiple versions of articles being posted anywhere on the Internet. As a result the traditional concept of “full text download” from a journal’s own primary publishing platform has even less meaning than under conventional publishing

arrangements. We are happy with these rights of use and reuse as it maximises uptake. We think that the caution and even hostility to the CC-BY license (which we are sure others will express to you in their responses to your call for evidence) is very much overlaid and often results from imperfect understanding of Open Access.

12. In 2012 we have achieved an approximately 3 fold increase in the number of submissions to the journal with quality articles being offered from around the globe as well as the UK. LT is a small field and we are in discussion with most other similar bodies worldwide in order to ensure that moves happen in an ordered fashion. While our community is clearly technologically more advanced than some others, and its research output often has a relatively short lifespan of interest, this is by no means atypical of much academic practice.

13. Our authors' priority, reiterated in surveys, is the widest possible dissemination and use of their results. That way they are more likely to have impact and/or get cited. The data above suggests that dissemination is facilitated when this model is followed. Again we believe that this is true of most academic authors and perhaps especially so in the UK because of the REF model of evaluating output employed by the funding councils.

14. Overall we have been very pleased by our move although it was not without significant financial risk. It has been part of thinking through our changing role, activities and income streams in a changing world. While it is tempting to try and hold on to traditional income streams as long as possible, the experience of other industries is that this can make for a long term lack of competitiveness and subsequent failure. It has helped to be in an expanding and important field—were our field contracting and losing relevance it would have been much harder.

Gold Open Access as the ideal—The eventual model

15. As a learned society that successfully made its journal “Gold” Open Access of its own accord, we fully support the move over time to Gold that the Finch report and now the Government, the funding councils and the major UK research funders are enabling. We concur with RCUK's Mark Thorley that we need to make the outputs of research “accessible at the highest quality to the widest number of people, to do the widest range of stuff with, with the least restrictions” (<http://blogs.rcuk.ac.uk/2012/10/24/rcuk-open-access-policy-our-preference-for-gold/>).

16. The evidence submitted to the House of Lords enquiry under Lord Krebs, (<http://www.parliament.uk/documents/lords-committees/science-technology/Openaccess/OpenAccessEvidence.pdf#>) including our own but various others and especially those of the Minister of State and of Professor Tony Hey, drew attention to several key problem that need addressing—the cost to institutions and hence essentially to the state of providing staff and students with access to scholarly output has risen steeply throughout the period in which the Internet revolution was driving down hard the costs of digital content in general, albeit to the discomfort of some major players in the associated industries. This is neither sustainable nor fair and suggests that, in line with other internet effects, there are significant savings to be made by the taxpayer as a funder and user from a move to Open Access.

17. A switch to Open Access, funded by learned societies as part of their charitable endeavour (as in the case of RLT), or by Article Processing Charges (as in the case of journals in the PLOS stable) represents a realistic way to drive down the costs of scholarly publishing (and possibly the only way other than very widespread and systematic adoption of Green Open Access). It exposes the economics of publication much more clearly than is the case under a subscription model, where, perversely, the more successful a journal be, the more valuable it is to individual libraries, and thus the more can be charged per subscription, thereby driving up the net income per individual article.

18. The following possible problems with this approach have been suggested, but, we believe, are less serious than is sometimes asserted, or will be compensated for by improvements and savings in the medium to longer term:

- It makes it more difficult for those who are not institutionally or organisationally based to submit articles. This may include retired but research active people and others such as those about to leave an institution where there would be no gain to the institution.
- It potentially gives too much power within institutions to administrations at all levels who might use the power to take control of an APC rationing process within the institution and exploit it for institutional advantage rather than the needs of the academics; or perhaps more likely may simply just do it rather badly.
- It may lead to disruption and distortion with long established journals, practices etc. and some well established journals may not survive, or may cease to be “cash cows” for their publisher and/or for their learned society.
- It potentially disadvantages early adopter parts of the world if the major publishing countries, and especially the USA, do not follow.
- It may stop UK academics publishing in prestigious worldwide journals that have not become “RCUK conformant”.

19. The Finch recommendations, and plans for implementation, seem in part to have been written with one eye on protecting the revenues of the journal publishing industry (and perhaps especially those of learned societies who have become dependent on these revenues for their perfectly justified and valuable field-sustaining and field-developing activities) rather than on putting the emphasis firmly on reducing overall costs and increasing access. That has to be the long term aim. The transition is the issue here and we return to this below.

20. UK academics individually and collectively, have a long tradition of and are good at negotiating over their funding and workload, library or book budgets. For instance, they are used to trading teaching time for more research activity and convenience and some might consider it a good side effect if they were a little more involved with students in order to finance APCs. The system already involves staff spending significant effort bargaining with their institutions and with others to do and publish research including travel and sabbatical plans and which books and journals to have in the library, and so this will be a marginal change for most—APCs represent just another, hopefully small, facet of negotiation and not the major disruption that some have suggested. For instance if one is moving on and so the publication will “count” for the new institution then there are few who would not find their way to concluding an appropriate arrangement with that institution to pay an APC.

21. In the case of research funded by research council grant, and perhaps with some funding council monies, relevant APCs could be expected to be included in awards. Should the research be exceptionally successful, leading to many essentially distinct publications, then it might perhaps be considered for a supplementary grant of APCs. Conversely under-published work might perhaps represent grant unspent. Thus a short publishing plan might need to be included in bids for funding if it is not already there. In the case of funding council selective research funding, one would expect each unit of funding to cover APCs at a relevant rate, calculated by council formula. In the longer term the lack of the need for institutional libraries to pay subscriptions more than compensates for the cost of the APCs (internet gain). Again the problem is one of transition as subscription monies may not be distributed as APCs need to be and there are also the international and other phenomena to be handled as covered in Finch.

22. In the longer term, journals could and perhaps should seek and be given sponsorship by the funding bodies and others. This would help drive down APC costs and make the problem very small. That is effectively our own experience in having no APC—we and our members effectively sponsor the publishing activities. We do this because we and the vast majority of UK learners gain as a community from the process. If, as seems to be the case, OA journals attract more interest in publication worldwide that would suggest that, as with other internet generated disruptions, once a critical mass of OA is established then the wave rapidly overwhelms the previous regime. Such sponsorship of journals can thus be a force for causing the churn that is necessary for progress in a thriving market.

23. In many subjects there should be little difficulty in finding sponsors. If grants or sponsorship of APCs cannot be made to work (ie there is no body interested in seeing the publication for the value of an APC), there are various other methods available including an ongoing small fund offering APCs. Sabbatical and other arrangements should perhaps automatically include APCs as they sometimes do other elements (such as travel and conference attendance).

24. It is perhaps with retired and non-institutionally based authors that a possibly ongoing need arises and this is an area where modest amounts of funding may be required, through a charity or otherwise, for some time to come. However, it should also be noted that most Gold Open Access journals, for example all in the PLOS stable, operate sensible waiver provisions for scholars who do not have access to funds to pay an APC.

25. For a recent discussion of the Learned Body issues see the recent blog of the Director of Harvard University’s Office for Scholarly Communication, Stuart Shieber; why open access is better for scholarly societies. (<http://blogs.law.harvard.edu/pamphlet/2013/01/29/>)

The transition: Gold v. Green

26. The UK is a major leader in research and education worldwide and an early move to a winning model would help to retain the lead. However other countries, especially in Europe seem not far behind and the number of events, webinars and discussions of OA worldwide as well as adoption is increasing.

27. Recent events in the USA have led to many individuals moving to open access publishing where possible see for instance Scientific American (<http://www.scientificamerican.com/article.cfm?id=digital-activists-suicide-casts-spotlight-on-growth-of-open-access-movement>) and have potentially accelerated the move to Gold access. Here internet related changes tend to move more rapidly than elsewhere once underway.

28. Thus we believe that the larger danger for the UK is not that of being too ahead of the world but in procrastinating or spending too much time in transition and thus falling behind best practice worldwide.

29. However, parts of the Finch report seem to have differentiated insufficiently between STEM and the Humanities/Social Sciences, putting forward a transitional approach that undoubtedly makes greater sense for STEM than it might do for some other fields, especially initially. A possible explanation for this problem is that the learned society world is extremely diverse: the two learned society representatives on the Finch Committee (from the Society for Biology and from the Royal Geographical Society) will have had the

unenviable and arguably impossible job of representing the very varied perspectives and situations of the UK's learned societies.

30. A substantial proportion of scholarly output outside of STEM is not grant-funded, or if it is fully or partly funded by grants, the grants are significantly smaller than in STEM, so that APCs loom much larger in the minds of individual researchers than is the case in STEM.

31. It is thus important in the transition to allow discipline areas the options of going at different speeds towards the eventual model. Those where there are not large funding research councils or other external funders, may need to involve a transitional Green OA model with a shortening length of embargo though the transition. This could possibly be handled on a research council basis or a funding council broad subject area basis.

32. But it is important that the transitions are all carefully defined and that they are costed and charged to the relevant subject areas through adjustment of other funding. It should be the case that having a long transition with significant injected funds should come from the subject area (for instance via the selective R funding) and not from savings made by others. There are plenty of mechanisms for doing this and it may be that the transition cost will diminish much more rapidly if the basis of the funds is thus defined clearly at the outset.

33. Some learned societies have been caught in the crossfire. Some have traditionally had their income artificially protected either by the pricing policies of the big publishers, or by having been able themselves to publish in the "rain-shadow" of the big publishers' pricing policies. Thus learned societies' mixed reactions to Finch may stem in part from an entirely understandable wish to keep things—that is their income and its current sources—as they are, and partly from a misunderstanding of the scale of the current proposals. As with membership organisations more generally, such bodies worldwide are looking at their future business models and revenue streams: publishing is not the only traditional source of revenue under threat from changing processes. They seek models that allow them to work within the new arrangements and a transition that does not bankrupt them.

34. The same is true of institutional libraries many of which have become accustomed to larger budgets than they will in future have. It may also be hard for them to relinquish prioritisation of local archival activities.

35. Alongside this in some cases, there seems to have been misunderstanding of the interplay of Open Access and APCs with factors such as copyright, Creative Commons licensing, moral rights, journal impact, and academic freedom.

RECOMMENDATIONS FOR ACTION

36. We suggest that consideration should be given to:

- (1) Reducing the maximum contribution to APCs that funders will cover to, say, £750 (or less) so as to push institutions and scholars into being more discriminating in their choice of journals, and thereby push publishers into reducing their APCs. The focus here needs to be on growing the proportion of PLOS-style Gold Open Access journals across all fields (it is no accident that at this time moves are afoot to establish the Open Library of Humanities, modelled on PLOS. Would this positive development be happening without the push provided by Finch?).
- (2) Examining the scope to make a functioning link at the level of individual journals or individual publishers, between the proportion of income raised through APCs and journal subscription rates, so that publishers are actively prevented from so-called "double dipping"—that is: increasing income on hybrid journals by generating APC income without reducing subscription rates.
- (3) Accepting that APCs will be no different from other things about which academic and research staff negotiate effectively with a variety of players including their own administrations (space, teaching load, sabbatical arrangements, library holdings and subscriptions, conference attendance and travel funds etc) and are modest in comparison with some.
- (4) Putting greater effort into "winning hearts and minds" for Open Access more generally. This may involve:
 - Making it clear that APCs may be funded through a variety of methods including grants, sponsorship, subsidy but most commonly through normal institutional activities.
 - Making available through some mechanism some funding for those who are not institutionally based.
 - Making it clear, by actions and words, that the long term aim is to drive down publishing costs overall including APCs and have more money available to fund research itself.
- (5) Accelerating the timetable for funding councils to decide and implement a policy on Open Access for articles arising from their funded research through the R component of the block grants, on the assumption that these policies should be consistent with RCUK's (ideally they need to work in lockstep).
- (6) Allowing each broad subject area to have transitional arrangements that fit its circumstances. This may involve shifting the balance in some areas somewhat towards Green Open Access by

making it clear in funder mandates that even when a Gold option is offered by a publisher, institution or author self archiving is an acceptable means of making an article Open Access; if funds are not available to (fully) cover APCs. It may also involve different licensing arrangements for a period.

- (7) Channeling transitional funds (with a clear length of transition specified and above all understood) to those learned societies who undertake to change their or their journals' publishing models from toll-access to Open Access, as well as to institutions and others for the payment of APCs. The former will accelerate the structural changes that are needed, whilst temporarily cushioning learned societies' other activities; whereas the latter will, perhaps rather unhelpfully, tend to cement a dysfunctional and inefficient hybrid "half-way house" which should not become extended.
- (8) Making it clear that the transitional costs of a broad subject area will be borne by that subject area and not by using the efficient areas (perhaps mainly in STEM and new disciplines) as cash cows to allow others to procrastinate unnecessarily.
- (9) Actively promoting comparable policies in Europe and in other jurisdictions, and especially in North America, and be seen to be so doing. The UK has the organisation and expertise through Jisc to do this effectively and ALT and others are already playing a part.

Maren Deepwell PhD
Chief Executive
Association for Learning Technology (ALT)
6 February 2013

The Association of Medical Research Charities

KEY POINTS

- We strongly support the leadership that the UK Government has taken to improve access to the outcomes of research.
- Most medical research charities support the principle of Open Access (OA). Charities wish to maximise the value of the research they fund and OA helps to achieve this goal by ensuring that publications are available to all.
- However, there is concern from fundraising charities that the Government's focus on "gold OA" could impact on the funding available to directly support research. In particular, paying article processing charges (APCs) will increase the cost of research during the transition phase as the publishing model changes from library subscription to the gold OA funding model.
- These increased costs to taxpayer-funded research are anticipated to be offset by a reduction in taxpayer-funded library subscription charges. Charity funders of research will only experience the increase in costs, with no offset and without further action the costs of this move to gold OA would be disproportionately felt by charitable funders.
- At the same time as seeing publication as a key outcome, fundraising charities that support medical research need to meet donor's expectations that their contributions are spent directly on research; paying APC's may not align with this expectation. In addition, OA is only one of a variety of means that charities can use to maximise awareness of research outcomes to patient and research communities.
- AMRC is working with its members to determine how payment for APC's fits with their charitable aims.

1. We welcome the opportunity to respond to this consultation. Several of our members have also responded individually. We will confine our response to question 1 and 3 as these are the most relevant to charity funders.

2. The Association of Medical Research Charities is a membership organisation of the leading medical and health charities funding research in the UK. Many of these charities exist because the public choose to donate their money to support research to develop new treatments and cures. In 2011–12, our 124 members invested over £1 billion into health research in the UK, one third of the non-industry funding of medical research in the UK.

3. Working with our members, we aim to support the sector's effectiveness and advance medical research by developing best practice, improving public dialogue about research and science, and influencing government to ensure the best research can go ahead and be translated into improvements in healthcare for patients. Ensuring that research publications are available to the widest possible audience is a vital part of research funding.

4. We recognise the importance of providing open access (OA) to research publications: donors want to see where contributions have been spent and authors and funders want to ensure that research knowledge is disseminated widely. A number of our members fund Europe PMC (an online information resource that

provides free access to biomedical literature, including 2.2 million peer-reviewed journal articles¹²). These charities, along with many more of our members, require the researchers they fund to publish via the most appropriate OA route ie gold or green.

5. Some charities cover the payment of article processing charges (APCs) to allow OA publications to be made available where a green or self-archiving route is not offered or where the embargo period associated with the green route does not allow researchers to comply with the charity's OA policy. However most charities do not uniformly provide extra funding for OA publication, and would choose green OA where it is an option to keep costs down.

6. While we welcome the Finch report's support for OA, the momentum towards gold OA prompted by RCUK's decision to provide universities with ring fenced funding for APC¹³ is causing concern among many of our members. A general move to gold OA will increase research costs to our members.

7. Charitable funding of research relies on public donation and philanthropy. For fundraising charities, this cost is difficult to justify as donors expect that the money they donate is used for research in line with charitable aims. The cost of making research OA can be perceived as being an infrastructure cost, which is difficult to justify.

8. The unique nature of this funding has been recognised by Government in the exemption of charitable funders from the indirect costs of research via the charity support element of QR funding (commonly called the Charity Research Support Fund, CRSF) provided to partner charitable funding of research in universities.

9. Our chair, Lord Willis of Knaresborough discussed the potential for a similar funding stream to support charity funded researchers to pay infrastructure costs of open access, at a recent House of Lords Science & Technology Committee on Open Access. Senior representatives from universities indicated that they would welcome such a fund¹⁴. David Willets, Minister for Universities & Science commented that this was not currently planned, but that his department would look into it, if there was a significant issue.¹⁵

10. With the move to gold OA, it is expected that in the long-term, library subscriptions should fall. For tax-payer funded research (by research councils, HEFCE or government departments), these increases will be offset by reductions in tax-payer funded library subscription costs. However, charity funded research will only experience the increase. Without action the costs of this move to gold OA could be disproportionately felt by charitable funders, reducing the reach of their research portfolios.

11. Hence, while we welcome the Government's strong support of OA, we ask that greater consideration be given to the unique role played by charitable funders in research and to how the Government can support charities in maximising the value of their research funding. It is important to ensure that the costs of OA do not negatively impact on the ability of charities to fund research through public donations.

12. We will be working with our members and the funders of Europe PMC over the next few months to gather evidence on likely costs, to better assess the potential future impact on charities, and determine how payment for APC's fits with their charitable aims.

Sharmila Nebhrajani
Chief Executive

13 February 2013

Written evidence submitted by Authors' Licensing and Collecting Society Ltd (ALCS)

The Authors' Licensing and Collecting Society Limited (ALCS) is the UK collective management organisation for writers. Established in 1977 and wholly owned and governed by the writers it represents (of whom there are currently over 85,000) ALCS is a not-for-profit, non-union organisation. ALCS exists to ensure that writers receive a fair reward when their works are used in situations in which it would be impossible or impractical to offer licences on an individual basis.

We appreciate that different Open Access models will garner a diverse range of views from the academic community. We have therefore limited our submission to a number of high-level points in the hope and expectation that individual academics will provide more detailed responses to the Inquiry.

¹² Europe PMC is supported by a consortia of funders, including 12 AMRC members—Action on Hearing Loss, Arthritis Research UK, Breakthrough Breast Cancer, British Heart Foundation, Cancer Research UK, Dunhill Medical Trust, Marie Curie Cancer Care, Motor Neurone Disease Association, MS Society, Myrovilytis Trust, Parkinson's UK and the Wellcome Trust

¹³ RCUK announcement of block grant for OA <http://www.rcuk.ac.uk/media/news/2012news/Pages/121108.aspx>

¹⁴ House of Lords Select Committee on Science and Technology—Evidence Session No. 2 -Q31 <http://www.parliament.uk/documents/lords-committees/science-technology/Openaccess/ucST290113ev2.pdf>

¹⁵ House of Lords Select Committee on Science and Technology—Evidence Session No. 5 Q82 <http://www.parliament.uk/documents/lords-committees/science-technology/Openaccess/ucST290113ev5.pdf>

The Government's acceptance of the recommendations of the Finch Group Report "Accessibility, sustainability, excellence: how to expand access to research publications", including its preference for the "gold" over the "green" open access model

The Report recommends that, "a clear policy direction should be set towards support for publication in open access or hybrid journals, funded by APCs, as the main vehicle for the publication of research, especially when it is publicly funded."

This "gold" model for access raises a number of issues:

In setting out an access policy for all journals, the Report fails to address fully the significant differences in the way that varied subject matter is disseminated and consumed in this market. There is a clear distinction between publishing in the Scientific, Technical & Medical sector, where greatest value lies in providing access to information within a limited timeframe, and other publishing genres which may have a longer "shelf-life" and raise greater issues around re-publication and re-use.

ALCS surveyed its members to elicit views on the models outlined in the Report—83% of all respondents either opposed or strongly opposed the gold model. The largest categories of respondents were contributors to journals in the Arts/humanities and social sciences suggesting that there is a clear need to guard against a one-size-fits-all approach to policy in this area. Addressing this point in his evidence to the Lords Science and Technology Committee Inquiry on open access, David Willetts noted that recommendation 10 in the Report permits a varied approach for journals not funded by APCs. This is only a partial answer, given that the clear direction of policy travel is to support the APC-funded approach.

The gold model places funding in the hands of the universities. This potentially raises issues around quality and diversity. Currently the filter through which contributions to journals pass is the peer-review process; under the gold model, those responsible for managing budgets within universities will acquire an increasingly significant role in determining which works are supported for publication. There is also the question of whether academics, researchers and others with valuable contributions to make may be excluded if they are not affiliated to an institute with an APC funding pot.

Although the Report uses journals as its focus, its frame of reference—"research publications"—encompasses a wider range of materials; its recommendations and policies may therefore be reviewed in relation to other published formats. Academics can already choose to publish open access e-books, either through traditional publishers, their university press or by forming collectives with experts working in the same field. This freedom of choice is positive, particularly in an evolving market. Where the report seeks to establish a broader framework of rules—as in the extract below—the full implications need to be considered with great care.

"Support for open access publication should be accompanied by policies to minimise restrictions on the rights of use and re-use, especially for non-commercial purposes, and on the ability to use the latest tools and services to organise and manipulate text and other content."

Such policies have emerged in the wake of the Hargreaves Review of Intellectual Property in the form of legislative proposals for new copyright exceptions in areas such as education and text and data mining. Regarding the former, in 2012 the Government considered reducing restrictions on re-use rights through limitations on licensing and sought evidence of the impact of such a policy. Using a survey of ALCS members, PricewaterhouseCoopers conducted an economic analysis of this approach which revealed the potential for a 29% reduction in the creation of new educational materials. The Government subsequently announced that models for restricted educational licensing would not be pursued.

Rights of use and re-use in relation to open access research publications, including the implications of Creative Commons "CC-BY" licences

CC-BY licences permit, sharing a work, including a work in a collection and (unless expressly restricted) using a work to create a derivative work, involving "the editing, modification, adaptation or translation of the Work in any media". These broad rights enabling third parties to modify the content seem incongruous in academic publishing where the accuracy and integrity of the original work is paramount. CC Licences make clear that authors' moral rights are unaffected however the statutory moral rights provided by the Copyright, Designs and Patents Act (1988) are subject to numerous exceptions and may be waived by contract. Furthermore these rights are unlikely to extend to situations of contextualisation—ie where an author's reputation is prejudiced by the inclusion of their work in a collection of other works imputing a particular position or viewpoint.

The costs of article processing charges (APCs) and the implications for research funding and for the taxpayer

If implementing the policy outlined in the Report involved legislative intervention, detailed impact assessments of the costs (and benefits) would be produced and subjected to regulatory scrutiny. In this case, the figures for APC funding costs in the Report are a "best estimate" based around current practice, rather than the model the policy is looking to introduce—the widespread adoption of the gold model. Further, more detailed

work is required to assess the full costs of funding, including further analysis of the potential level of savings that may be secured under a phased reduction in publisher subscriptions.

The level of “gold” open access uptake in the rest of the world versus the UK, and the ability of UK higher education institutions to remain competitive

An academic’s ability to publish in the leading journals in their field, irrespective of the journal’s country of publication, enhances the standing of the institution to which they are affiliated. If, as has been suggested, certain funding streams will only be available on condition that the resulting research is published in an open access journal, this may potentially restrict dissemination in the most relevant (and prestigious) international publications, reducing the positive impact both for the academic and their university.

7 February 2013

Written evidence submitted by Professor Stephen Bailey and Professor John Bell

1. We are academic lawyers at the University of Nottingham (Stephen Bailey) and the University of Cambridge (John Bell). Stephen Bailey is the current Vice President of the Society of Legal Scholars and John Bell is a former President of the Society. The Society is the largest Learned Society for academic lawyers in Great Britain and Ireland, with approaching 3,000 members. We are members of an SLS Working Group on Open Access. This note represents our personal views. We have particular concerns that government has failed to take account of the difficulties created by their policy for research management within Universities and about the overall pace of change.

2. The desirability of maximising public access to learning derived from publicly-funded research seems self-evident. The proposals in the Finch Report set out a way in which this should be done, and were embraced, with unusual alacrity, by government, HEFCE and RCUK. However, a major focus in the Finch Report is on the institutional relationships among government bodies, funders, universities, publishers and learned societies. The possible effects on the work of communities of scholars, such as Law Schools, and the careers of individual researchers received less detailed attention. This has left a picture that a major policy change has been adopted without anything like sufficient consultation and without a proper basis for assurance that there can and will be appropriate solutions to all the major problems that may arise.

3. We accordingly welcome the statements made to the House of Lords Select Committee on 29 January on behalf of RCUK that for a transitional period RCUK policy in respect of Green OA will change (except in respect of MRC funded research) to embargo periods of 12 and 24 months rather than six and 12 and that the RCUK OA policy is to be reviewed towards the end of 2014; and, from David Willetts MP, that “one size” does not fit all disciplines, that the concerns of researchers in the Humanities and Social Sciences are understood and that there is a commitment to work with these communities on this matter.

4. We focus on some issues of particular concern. First, it is unclear how the Finch package will interact with future REF arrangements, including how it might affect the behaviour of REF panels and sub-panels. HEFCE is due to consult in this area. An important practical question is whether to be eligible for submission to (let us assume) REF2020 it will be necessary for an output to have been published in a journal compliant with OA requirements in respect of that piece (1) on the date of publication (as implied by a HEFCE officer speaking at the Academy of Social Sciences Conference on Open Access on 29 and 30 November 2012); or (2) by the time of the date of submission of outputs to REF2020. Since the date for publications to be eligible for inclusion in REF2020 will begin no later than 1 January 2014, the answer to this issue will affect the publishing behaviour of academics and their institutions already during 2013. The second approach would mean that effectiveness of the use of the REF as a lever in forcing wider adoption of OA policy would be reduced, and would provide significant relief for HEIs that are in practice unlikely to have the funds need to cover the significant additional costs of Gold OA.

5. Support for the latter approach is further justified by the consideration that research is now only partly “publicly funded” in Law. Few researchers write as a result of a research grant. For instance, the AHRC lists 13 awards to Law researchers in the UK (out of a total of over 3,500 individuals) in 2011 amounting to nearly £900,000. HEFCE for 2012–13 provides £18.7million in basic research funding (QR), but only to 47 of the 90 English Law Schools and 9 of these get less than £30k each. Most staff time (including sabbaticals) is paid by student fees. Furthermore, the emphasis on OA for publicly funded research will drive the wedge between “academic” research and student (teaching) works and those for a professional audience, neither of which will be OA. At a time when we are paying attention to “impact”, the translation of research ideas for a wider public, particularly the professions, but also students, this would be regrettable.

6. Secondly, the Finch Report (at para.9.17) stated that “Universities will need to consider carefully, and to consult with their staff about, the policies and procedures surrounding publication funds. For researchers will be nervous about the implication of giving university and departmental managers a greater say in where and how researchers publish their work.” It lists eight difficult issues that will have to be addressed. A major problem will be that institutions will have limited budgets to pay for Article Processing Charges, so they will have to select (and possibly direct) the kind of work whose publication they are willing to fund. This has significant implications for the variety of research that will be published and for the academic freedom of the

scholars. There are likely to be particular difficulties for early career researchers, PhD students and researchers who are not on permanent contracts, although the difficulties will not be confined to these groups. Institutions will not have budgets to pay for APCs of people that they do not employ, such as PhD students, practitioners and retired staff, many of whom make very valuable contributions to the scholarly literature in our field. In practice it has not been possible for meaningful discussions to begin within institutions, given the uncertainties about the detail of RCUK policy and that (as at 1 February 2013) HEFCE is yet to issue its consultation paper on OA. And yet aspects of the new arrangements are to begin to take effect in April 2013 and academics will soon be submitting pieces for publication in 2014, which will fall within the next REF publication period. Mr Willetts' position on these difficulties as stated to the HLST Committee was simply to say that they were for autonomous Universities to resolve. We suggest that the apparent failure of government to have any feel for the extent of the potential difficulties for research management within institutions means that no proper overall cost-benefit analysis of the new policy can have been made.

7. Thirdly, there is a fear that (expensive) Gold Access publication, as a model strongly preferred by government, would come to be treated as a new "gold standard" (and shortcut) in research assessment. HEFCE's position as stated to the HLST inquiry on 29 January 2013 that in research assessment "we do not look at the journal" (sc as distinct from the quality of the individual output) is accordingly welcome. However, future REF processes must ensure that sub-panels are resourced to enable this to be delivered in a meaningful way. (The context for this is that government has for years been looking for easy ways to assess the quality of research outputs that avoid the expensive and time consuming element of any assessors actually reading them.)

8. Fourthly, we are not convinced about the economics of the model proposed by Finch. The Finch Report suggests that, globally, OA will lead institutions to cancel subscriptions to journals and that this would release enough money for them to pay the APCs for articles published by their staff. We do not think this will happen at the level of a discipline like Law (and it is necessary to remember that universities now tend to budget by disciplinary cost centres). In the first place, it will not be possible to cancel all subscriptions. Subscriptions to non-UK journals will remain necessary because these may not be available on open access for many years. In addition, in Law essential journals published for a practitioner audience would not be open access. So there will only be limited cancellation of subscriptions. But even the saving on UK academic journals could not release enough money to pay for the necessary APCs. To take just one example, the *Cambridge Law Journal* (online institutional subscription price £87) publishes 18 academic articles a year. The current Cambridge Law Journal APC fee is £850). The cost of APCs may well force leading research Law Schools to adopt "Platinum", rather than "Gold" access. Basically, Platinum involves an institution setting up its own research website and its own peer review system and then posting all its research on it, rather than in research journals. A rough estimate would put the cost of such a system at £60,000 a year. So, for example, Platinum would cost Cambridge only the equivalent of one APC at £850 (per academic per year. (This is seriously possible in Law because there is no journal equivalent to *Nature* in which leading research has to be published in order to be taken seriously by the academic community.) The transition envisaged by Finch will encourage the move to Platinum, not Gold. Heads of Law Schools, however, will soon have to pay APCs to UK journals. Given that budgets will be tight for the near future in any case, the attractiveness of Platinum to institutions with an established research reputation is great. LSE already has a Working Paper series which we bookmark as a source of good research, so why can't others do the same? Established institutions and people wouldn't need to publish in journals. But that will make it harder for others to get their research recognised.

9. The idea of open access is good, but the lack of thought about the transition risks creating a mess in which leading Law Schools pull their researchers out of law journals and "academic" publishing becomes even more isolated from the professions.

7 February 2013

Written evidence submitted by BMJ Group

BMJ Group appreciates the opportunity to contribute to this inquiry. We would be pleased to also provide oral evidence if necessary, and we look forward to the Committee's conclusions.

Submitter: This evidence is submitted by Dr Trish Groves, Deputy editor, *BMJ* and Editor in Chief *BMJ Open*. Trish has 24 years' experience as a medical editor. She heads the teams that peer review and select original research submissions to both *BMJ* (where she is Deputy Editor) and *BMJ Open* (where she is Editor in Chief).

BMJ Group has long and varied experience as an open access publisher. In 1998 the *BMJ* became the first general medical journal to make full text of its articles free to all online. The *BMJ* is now a hybrid journal with a) pay walled educational articles, debate, and journalism and b) full Open Access to all research papers (<http://bmj.com>)—for research the *BMJ* is a "Gold" Open Access journal that levies Article Processing Fees when research is accepted after peer review. *BMJ Open* (<http://bmjopen.bmj.com/>) is an online-only medical journal providing Gold Open Access: it publishes research studies and protocols and nothing else. The other approximately 40 BMJ Journals are hybrids that offer Gold Open Access as an option.

BMJ Group took part in the PEER (Publishing and the Ecology of European Research) project which investigated, from September 2008–May 2012, the potential effects of large scale, systematic depositing of authors' final peer-reviewed manuscripts.

SUMMARY

BMJ Group strongly supports the Finch report's main recommendation that "a clear policy direction should be set towards support for publication of research in open access or hybrid journals, funded by article processing charges (APCs), as the main vehicle for the publication of research, especially when it is publicly funded". [ref1] We are pleased to see this recommendation for the "Gold" model of Open Access and subsequent support for this by the Government. The Gold model is a well established and viable way to assure (through editorial review, peer review, and editing) the quality and relevance of scholarly articles, to provide professional services for authors, reviewers, readers, librarians, and funders; and to provide online hosting, curation, discoverability, digital innovation, and widespread dissemination. "Green" Open Access via self archiving is not able, on current evidence, to provide nearly the same degree or quality of access to publicly funded research.

Given that BMJ Group is supportive of these recommendations and policies, we have only a few comments to add at this stage.

1. THE GOVERNMENT'S ACCEPTANCE OF THE FINCH REPORT'S RECOMMENDATIONS

1.1 Gold vs Green. As a publisher of Open Access journals, BMJ Group has an obvious interest in the Government's current preference for Gold rather than Green Open Access. Notwithstanding that, we believe that accepting the Finch report's recommendations was the right thing to do, given the PEER project's finding that self archiving is unlikely to generate a critical mass of Open Access content [ref 2].

1.2 Academic institutions and research funders. BMJ Group was pleased to see RCUK's plans for APC awards over the next few years. We are currently in discussion with institutions and funders in the UK and internationally, to learn about their current and future needs and requirements for Open Access publishing and to consider a membership model that would provide authors with discounted APCs.

1.3 Research data. We were pleased to see the Finch report's call for "a mechanism for enhancing the links between publications and associated research data" and hope that the Government's Open Access policy will give due consideration to data sharing. The BMJ is actively campaigning, investigating, and advocating for greater access to medical research data, particularly from clinical trials (<http://www.bmj.com/open-data>) (para 2.5 for more details).

2. RIGHTS OF USE AND RE-USE OF OPEN ACCESS RESEARCH PUBLICATIONS

2.1. Current Creative Commons licence. Under current policy "BMJ Open Access" articles (ie all open access research articles in any of the BMJ Journals) may be reused by both authors and third parties, in accordance with the terms and conditions of the Creative Commons (CC) Attribution NonCommercial 3.0 Unported licence. With this CC licence, users are free to share (copy, distribute and transmit) and adapt (make a translation or derivative work) the contribution for noncommercial purposes under the conditions in the full legal code (<http://creativecommons.org/licenses/by-nc/3.0/legalcode>).

2.2 CC-BY licence. By April 2013 BMJ Journals will also offer the Creative Commons CC-BY licence for authors whose funders (including RCUK) require completely unrestricted reuse, and we will meet RCUK and MRC requirements for embargo periods for depositing articles in PubMedCentral (see para 2.4 for details).

2.3 Deposition. Authors opting for "BMJ Open Access" are already able to place the final published version of their article in the repositories of their choice. The *BMJ* and *BMJ Open* are fully "online first" journals, published continuously on bmj.com, and their Open Access research articles go straight into PubMedCentral on publication. The other BMJ Journals deposit all their Open Access articles in PubMed Central as soon as those articles are allocated to an issue.

2.4 RCUK policy. RCUK considers a journal to be compliant with its policy "if i) the journal provides via its own website immediate and unrestricted access to the publisher's final version of the paper (the Version of Record), and allows **immediate deposit of the Version of Record in other repositories without restriction on reuse**...Or ii) where a publisher does not offer option 1 above, the journal must allow deposit of Accepted Manuscripts that include all changes resulting from peer review (but not necessarily incorporating the publisher's formatting) in other repositories, without restrictions on non-commercial re-use and **within... no more than six months** between on-line publication and a research paper becoming Open Access." We also note that the Medical Research Council (MRC) requires that "All research papers that have been accepted for publication in a peer-reviewed journal, and are supported in whole or in part by a MRC-funded grant, must be made available from Europe PubMed Central (Europe PMC) as soon as possible, and in any event **within six months of publication**."

2.5 Re-use of research data. The *BMJ* and *BMJ Open* are campaigning for greater access to the raw data from original research studies, to maximise the veracity and completeness of the evidence base for medical practice and policy. Accessible raw data may also be reused by other researchers, for new analyses and for

meta-analyses (which combine the results of several studies to increase the power and accuracy of the results). To encourage sharing of data the *BMJ* and *BMJ Open* require all authors of original research papers to state in their manuscripts whether, how, and where they will make the data available and what steps they have taken to protect patient confidentiality. Through partnership with the Dryad Digital Repository (<http://datadryad.org/>) both journals help authors to deposit their datasets in open, easily accessible files linked to their published articles. Furthermore, randomised controlled trials of drugs and medical devices are considered for publication in the *BMJ* only if the authors commit to making the relevant anonymised patient level data available on reasonable request. [ref 3]

3. COST OF APCs

BMJ Group takes the view that the market for Gold Open Access will develop with a range of APCs to reflect the services provided to authors and the impact, influence, and brand of journals.

For Gold Open Access to really work, it needs a sustainable business model.

This may require differential pricing and/or a range of waivers for authors in middle and lower income countries to ensure that they are not at a disadvantage when submitting articles.

We believe that funders need to recognise their responsibilities and ensure that there are sufficient funds available for APCs. This needs to cover dissemination of the total body of work arising from a funded study, not just the primary paper. Preplanned secondary analyses and follow up studies are often even more important to medicine than primary studies.

4. UPTAKE OF GOLD OPEN ACCESS

4.1 Uptake has been relatively high by biomedical researchers and funders (<http://ip-science.thomsonreuters.com/m/pdfs/openaccesscitations2.pdf>). This is unsurprising, as the aims and ethos of the Open Access movement map well onto those of medicine. The Budapest Initiative for Open Access to scholarly literature asserted, in 2002, that “Removing access barriers to this literature will accelerate research, enrich education, share the learning of the rich with the poor and the poor with the rich, make this literature as useful as it can be, and lay the foundation for uniting humanity in a common intellectual conversation and quest for knowledge” [<http://www.opensocietyfoundations.org/openaccess/read>].

4.2 Uptake of Gold Open Access also varies by geography. For journals that waive APCs when authors lack the necessary funds—including *BMJ*, *BMJ Open*, and the *Public Library of Science* (*PLoS* journals)—Gold Open Access should be no bar to publication of research from low and middle income countries. However, Gold Open Access may be less important in countries where free local journals prevail, and where publishers (including BMJ Group) make paywalled content freely accessible to institutions in countries with low GDP through the HINARI Access to Health Research programme (<http://www.who.int/hinari/en/>).

4.3 Geography and Open Access mandates. Mandates are, of course, an important driver of Open Access and probably influence uptake of both Gold and Green models. ROARMAP, the Registry of Open Access Repositories Mandatory Archiving Policies, currently lists 450 mandates worldwide by institutions and funders [roarmap.eprints.org]. The region with the greatest number of mandates (244) is Europe and the country with the greatest number worldwide (81) is the US. The UK (with 54 mandates) comes second: a clear illustration of the country’s commitment to making publicly funded research open to all. The Government’s further support for Open Access is an important and welcome step along that road.

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Trish Groves

Deputy editor *BMJ* and editor-in-chief *BMJ Open*, on behalf of *BMJ* Group

6 February 2013

Written evidence submitted by the British Academy of Management

The following points are some of the main ways in which the British Academy of Management as a membership based organisation and owner of Business and Management journals might be challenged by OA in contrast to other smaller Learned Societies and other traditional social sciences.

1. OA issues have to be understood as part of wider Open Data developments across Europe with potential benefits for research and wider society.
2. Learned societies in Business & Management have been at the forefront of the “impact” and “relevance” movements, communicating research through industry as well as teaching, and often working in partnership with practitioner communities. By reducing opportunities for our researchers to publish in the “top” journals (as they may not have access to APC funds), in turn the research will be constrained and wider society will lose out.
3. History suggests it is a folly trying to predict the impact and popularity of new business models.
4. British Academy of Management has complex role in debate due to ownership of Journals and as a membership based organisation whose members may benefit from OA.
5. Any loss of revenue from journals would adversely alter formal structure of academy and activities however the academy would continue its activities albeit in a reduced form.
6. Much business and management research is funded by industry, charities, public sector bodies and through universities. It is therefore the case that funding flows based on RCUK and HEFCE may not be available or needed, and yet Advance Publication Charges (APC) assume they will be part of the journal paper supply chain. In effect this may exclude many Business & Management authors from submitting to the journals that, as Learned Society members including the British Academy of Management, they part own.
7. Some publishers have made unilateral decisions about APC rates, in stark contrast to the detailed negotiations with learned society journal owners they participate in when they are bidding for our contracts.
8. The major Business & Management journals in league table/REF terms are USA based. Their equivocal views on OA and APCs make it difficult to establish clear criteria on how to target excellent papers.

8 February 2013

Written evidence submitted by the British Agricultural History Society

EXECUTIVE SUMMARY

This submission outlines the publication economics of a small academic journal, the *Agricultural History Review* which is privately published by the British Agricultural History Society and distributed worldwide. It outlines the Society’s views on “gold access”, “green access” and “the CC-BY” licence.

INTRODUCTION

The British Agricultural History Society (BAHS) is a registered charity that publishes an international journal, established in 1952, twice yearly: the *Agricultural History Review* (AgHR). We publish the journal ourselves, it is not owned by a publisher. Each edition contains 6 academic articles as well as book reviews, literature surveys and conference reports. Subscriptions cost £80/pa to institutions, £40/pa to waged individuals, £5/pa to students and the unwaged. As of 2011, we had 468 individual subscribers and 326 institutional subscribers worldwide. Our income from subscriptions/sales of the journal was £22,663 in 2010–11. Most of this income is spent on the production, distribution and administrative costs of the journal. Any surplus is spent on publishing a newsletter on rural history: *Rural History Today* (£2,500/pa), and subsidising BAHS events: the two annual conferences, bursaries for students to attend those conferences, bursaries for other individuals or organisations for events related to rural history. The BAHS’s membership is largely academic but also consists of farmers and independent scholars. The journal is currently open access five years after publication, and has been for some years. It can be accessed via our website: <http://www.bahs.org.uk/> and, more recently, via JSTOR.

1. Concerns about “gold access”. Most of the authors who publish in the AgHR are not employed by British Universities: they are either academics from outside Britain, or independent scholars from within Britain (including retired academics, school teachers and local historians). Of those are employed by British Universities only a minority are publishing findings from research funded by RCUK grants. Income from gold access could not replace our subscription income unless we set the APC rate very high indeed. We could operate a hybrid system, whereby academics in British Universities paid APCs (of £2,000/article) to make their articles instantly (and individually) open access on publication, but where other authors did not pay, and we still drew our income from subscriptions. In that situation APCs would simply be an additional form of income for the society. However, APCs would never replace subscription income. From the

point of view of the government and RCUK, gold access would lead to a substantial monetary subsidy to the AgHR for a very marginal benefit to British society as a whole.

2. It seems highly unlikely that the “gold access” model will ever be adopted internationally for the humanities and social sciences as it lacks any compelling economic, social or cultural logic.
3. Concerns about “green access”. Instant green access would remove the need for members to subscribe to the journal and would thus undermine our subscription income. Within a few years we would be left with no income to edit the journal or administer the society, and it would collapse. At present we make the journal open access after 5 years, and this functions well. It is unclear what effect reducing the period of privileged access for subscribers to 2 or 3 years would have.
4. We have no experience of operating a “CC-BY” licence. It seems likely that those British and especially non-British authors who understood its full implications would choose not to publish in the journal as a result, and would publish their research in other outlets instead, such as American academic journals (ie our less international rival *Agricultural History*) or in edited volumes. The licence would thus undermine the competitiveness of British journals.

Professor Jane Whittle

Chair of the British Agricultural History Society

4 February 2013

Written evidence submitted by the British Association for American Studies

I am writing as Chair of the *British Association for American Studies* to strongly endorse submissions to the Select Committee made by the Council for College and University English/English Association and the Royal Historical Society on behalf of the English and History subject communities respectively. The issues they raise about research publications in the fields of English and History are pertinent to the American Studies community in the UK, which spans a broad range of subjects in the arts, humanities and social sciences: principally, US history, American literature, US politics and international relations, and American visual culture (including film studies and history of art).

We are particularly concerned that the gold model of open access privileges the STEM subjects over research and publishing patterns within the arts, humanities and social sciences, and that the details of the green model have not been fully explored. On this subject, speakers at the Westminster Forum on Open Access (5 February 2013) acknowledged that the Finch Report kept open the possibility of developing the green model, but this was not born out explicitly in the conclusions of the report. Nor did the Finch Report explicitly address the fact that arts and humanities subjects only publish around 30% of the research outputs in scholarly journals, in contrast to 40% of work published as monographs (data taken from RAE2008 for both English and History outputs). Given this, we would not want to see open access being used as a criterion for determining the eligibility of outputs in future REF exercises. And, in the immediate term, we would like to see a thorough reassessment of the green model: for example, we suggest that HEFCE or JISC conduct a scoping exercise with a view to establishing a consistent platform that all UK HEIs are required to adopt to ensure that open access repositories are easily searchable.

The American Studies community shares the concern of the historians, in particular, that current debates do not fully acknowledge that some area studies subjects—such as American Studies—frequently publish in journals and via academic presses outside the UK. We have not seen any evidence that the proposed gold open access model will be adopted—or, indeed, is seen as desirable—by publishers in North America. Added to this, our discussions with major academic publishers in the UK indicate that they envisage the green model will be retained for humanities and social science journals in the future, or a hybrid of green and gold.

Finally, we share the concern that the gold open access model raises equal opportunities issues for postgraduates and early career researchers and for retired academics, many of whom continue to publish high-quality articles and books beyond their salaried career span. Neither group of researchers is likely to have access to institutional or research council funds to pay for article processing charges. We would ask that the consultation attends closely to both ends of the career cycle, with a view to promoting a fair and equitable model that is sensitive to particular subject areas, rather than just adopting a single model that meets the priorities of STEM subjects.

Professor Martin Halliwell

Chair

British Association for American Studies

7 February 2013

Written evidence submitted by The British Association for Slavonic and East European Studies

1. This submission has been approved by the Executive Committee of the British Association for Slavonic and East European Studies (BASEES), a learned society of over 650 members. It was compiled by Professor Stephen Hutchings, President of BASEES.

2. BASEES is broadly in favour of the move towards Open Access Publishing. The research produced by its members has relevance well beyond the confines of the academy, dealing, as it does, with a region of considerable strategic importance in matters of foreign policy, diplomacy, security and economic development, and BASEES is keen that its full potential to benefit policy makers be realised.

3. Nonetheless, we have a number of major concerns about the way that the government is implementing its policy on Open Access, and we believe that the consequence of the policy have not been properly thought through.

4. First, the very outward-looking nature of the best of the research generated by BASEES members means that much of it is published in international journals that are not bound by UK Open Access policy. Unless other countries move in close step with the UK in implementing Open Access procedures, our researchers will be placed at a serious disadvantage with respect to their international peers, and to UK academics for whom publication in international outlets is less of an issue.

5. Secondly, it has become clear that the amount of money made available to Universities by Research Councils UK (RCUK) to cover the Author Processing Charges (APCs) required from 2013 onwards in order for journals to publish RCUK-funded research under the prestigious “Gold Access” route will be woefully inadequate. For example, one large University which employs at least 15 of our members publishes around 6,000 journal articles per year in total. That university’s proposed APC block allocation is likely to cover the cost of just 500 articles via the “Gold Access” route. This will mean that it, and other universities, will be obliged to select which of the 6,000 total be earmarked for “Gold Access” funding. Not only does such a process run counter to academic freedom, but it also raises the possibility of preferential treatment being accorded to the more “lucrative” STEM (Science, Technology, Engineering and Medicine) subjects over the arts and humanities, and to senior researchers over postgraduates and early-career researchers, who may not remain with their present institutions for long.

6. Moreover, as a learned society with an overwhelmingly humanities and social science base, BASEES remains equally worried about the alternative “Green Access” route to Open Access, whereby journals make articles published under the existing regime freely available after a period of embargo. There are two highly respected journals in our field which are affiliated with BASEES: *Europe-Asia Studies*, and *Slavonica*. Like other area studies journals, these will face uncertainty under the 12-month embargo periods which RCUK seeks to impose for Green Access publication (though we note that, somewhat confusingly, the government has indicated that it may be willing to consider 24-month embargo periods). As with so much else connected to Open Access, the policy seems to have been constructed with a bias towards the STEM subjects, in which research remains current for much shorter periods than in the humanities and social sciences, where three or four years or longer is the norm, and which therefore operate with a very different business model. BASEES is as a result caught between ensuring stability for its two affiliated journals which may suffer if the current RCUK position eventually prevails, and defending the interests of its members who may lose out in relation to “Gold Access” peers if the two-to-three year embargo periods preferred by the journals remain in force.

7. BASEES has profound concerns, too, about the government’s determination to attach the requirement of a CC-BY licence to the Gold Access route. As far as we can see, this does not apply to Green Access, though we have been unable to identify anything in the relevant documents that explicitly rules this out. We have consulted the publishers of the BASEES-affiliated journals, seeking clarification, but have not yet received a reply. Nonetheless, there is no question that for Gold Access, the licence is required by the research councils and authors will have no choice in this matter, despite growing disquiet within BASEES, and the broader academic community. The licence will allow “data mining” for commercial as well as scientific purposes, which could result in excerpts from research being used out of context and in ways not endorsed, or even opposed, by authors. There is some minimal requirement for acknowledgement of the author, but it seems to be much less stringent than in the case of standards forms of citation used in academic articles.

8. Finally, we would wish to draw the attention of BIS to the continuing prominence in the arts and humanities of the monograph and edited book as a preferred (and vital) means of disseminating research. The government seems to be working towards an insistence on Open Access Publishing for the Research Excellence Framework exercise after REF 2014 (expected to take place in 2020). It has given no clear lead on how monographs and edited volumes, whose business model is different again, can ever be made Open Access-compliant. If this is to happen, it will require a long and complex transition period which needs to start very soon.

9. In light of these and other concerns, BASEES strongly urges the government seriously to rethink its Open Access implementation strategy and timetable. If it does so, it will have our full and committed support.

Written evidence submitted by the British Educational Leadership Management and Administration Society (BELMAS)

INTRODUCTION

This letter is the Society's submission to the Committee's inquiry into the Government's Open Access policy. The British Educational Leadership, Management and Administration Society (BELMAS) is a professional body, founded in 1973, with more than 850 members who are school or college leaders, academics, or policy-makers, in the field of educational leadership. Its purpose is to maintain, promote and extend public education by advancing the practice, teaching, study of, and research into, educational leadership, management and administration. We aim to provide a distinctive, independent and critical voice in the pursuit of quality education through effective leadership and management.

BELMAS owns two journals, which are published on our behalf by Sage publications:

- *Educational Management, Administration and Leadership* (EMAL) is an international peer-reviewed academic journal, listed in the Index of Social Sciences.
- *Management in Education* (MiE) is an international peer-reviewed professional journal.

Both journals publish papers from British and international authors, following double blind peer-review. Most of these papers report empirical research but only a small minority (c.10%) have received funding from one of the Research Councils.

BELMAS FUNDING MODEL

In common with many other learned societies, BELMAS receives a significant portion of its income from its publishing contract. This income enables the Society to achieve its charitable objectives, as well as providing member benefits such as doctoral bursaries, development grants, pump-priming research awards, and international partnership grants, used to support the field in developing countries. The nature of Open Access publishing needs to have regard to the impact on the income of learned societies such as BELMAS. We are concerned that present proposals, which derive from a funding model relating to the pure and applied sciences, do not translate directly to the Humanities and Social Sciences (HSS). For example, an *ALPSP study published in May 2012* suggested that, if the majority of content in research journals was freely available within six months of publication, 65% of AHSS (Arts, Humanities and Social Sciences) journal subscriptions would be cancelled.

GREEN AND GOLD OPEN ACCESS MODELS

The Finch report refers to Gold Open Access, where open access is available at the point of publication through Author Processing Charges (APCs), as an alternative to subscriptions. If this model is adopted on a significant scale, the impact on journals, and learned societies, could be profound and damaging. The Finch report also refers to Green Open Access, where articles are made available after an embargo period. The key question here is the length of the embargo period, and where these articles can be posted (subject repositories, institutional repositories, author websites). The longer the embargo period, the more likely it is that libraries will retain their journal subscriptions. A survey of librarians by ALPSP shows that almost a quarter (23%) would cancel subscriptions to Arts, Humanities and Social Sciences (AHSS) journals, while more than two-fifths (42%) would cancel some journals if the embargo period was as short as six months. This shows the vulnerability of learned societies if certain Open Access models are adopted.

APPLICATION OF OPEN ACCESS

Funder mandates, such as that advocated by RCUK, pass responsibility to universities to administer block OA grants from funding agencies, without allowing for any differences in disciplines. Such mandates risk devaluing HSS scholarly publishing. We can foresee new levels of bureaucracy applied as colleagues across a wide range of subject areas are forced to compete with one another to obtain APC funding. This could jeopardise academic freedom as panels decide what is deemed worthy of APC funding, and creates a two-tier publishing system, those who can pay and those who cannot. This leads to concern for early career members and those in developing countries.

The pressure for Open Access arises from the UK Research Councils (RCUK) for publications arising from research which they have funded. Only a small proportion of the articles published by the BELMAS journals are funded in this way, as noted above. While Open Access may be appropriate for such papers, subject to appropriate safeguards, it is important that the model is not extended, intentionally or by default, to all journal articles, without further consultation with all parties, to avoid damaging journals and the learned societies which own many of them.

 CONCLUSION

We hope this letter will inform the Committee's deliberations and look for an outcome which will sustain and nurture learned societies rather than damaging them.

Prof. David Cracknell
President

Dr Colin Russell
Chair

7 February 2013

Written evidence submitted by the British International Studies Association (BISA)

EXECUTIVE SUMMARY

The British International Studies Association (BISA) is a charitable learned society with 1000 national and international members. BISA supports the principles of open access publishing, and was encouraged by the Finch working group report. However, we are disappointed by the research council's interpretation of the report into policy and speed of policy implementation without adequate consultation.

The model proposed by ESRC of Gold Open access, with 12-month embargo, and CC-BY creative commons licencing:

- threatens the financial viability of BISA (and many other charitable learned societies);
- will entail very significant costs to the taxpayer in creating new infrastructure within Higher Education Institutions to fund the costs of publishing academic research and;
- fails to protect the intellectual property of UK academic research and ironically threatens the global competitiveness of the UK knowledge economy.

BISA operates on a not for profit basis reusing income arising from publishing to further our charitable objectives. We are very reliant on publishing receipts; it represents 80% of our annual revenue. We promote research excellence, and exercise a rigorous peer review process for our journal with 74% of submissions rejected.

BISA funds UK research out of our publishing incomes, supporting especially graduates and early career scholars, as well as our wider scholarly community including scholars in the developing world. A requirement of being a charity is Public benefit and through our outreach work with schools and other non-university links, we provide more accessible formats of academic research outputs via our website, newsletter and social media such as twitter, face book, LinkedIn and YouTube.

Gold Open Access for UK academics alone would not provide a sustainable income model for our journal. We would look to provide a hybrid journal and a mixed economy. Where a subscription base and traditional submission system was provided for non UK academics work and where open access is not currently a requirement. This would be managed alongside the new Open access publishing options for UK researchers. Learned Societies are going to need time to rebalance their income streams and business plans and the hybrid journal format will provide some time to plan and restructure.

Green Open Access is not without costs, peer review will still be required in many instances and repositories require administration and careful set up so work is discoverable. Embargo periods need to reflect the "slow burn" effect of social science research outputs, with 24 months being the mini period but more ideally 36 months for more theoretical or historical research outputs.

Creative commons licenses are obviously not designed with academic publishing in mind. The CC-BY is wholly unpopular across our membership, with CC-BY-NC-ND being the preferred licensing option; however some concede that they may have to accept CC-BY-NC should there be some flexibility provided. There is significant concern over the reuse of research, in particular commercial reuse and lack of control over where research is reused which seems to have been taken out of the authors hands by CC-BY. We do not see why the government should want give away UK funded IP free of charge to the world.

In regard to Article Processing Charges (APCs) universities need to be encouraged to develop equitable allocation policies across all career stages including PhD students. Only 30 universities regarded as research intensive have been provided with additional block grant funding, the remaining universities whose staff undertake research and contribute to the scholarly will have to find the funding out of other resources or only have the option to publish green open access available for their research oriented staff.

Finally, there is general concern across the UK research community that other countries especially the US and China are not going to embrace open access leaving UK Intellectual Property open to significant exploitation both in the UK and overseas. The proliferation of large "light touch" peer review e-journals like PLOS-One could significantly impact and dilute research quality and excellence, these journals offer very low

APCs and do not seem to have the reputational accountability to the academic scholarly community that Learned Society publishers have.

INTRODUCTION

1. The British International Studies Association (BISA) welcomes the opportunity to respond to the Business, Innovation and Skills Select Committee's inquiry into the UK Government's Open Access (OA) policy and to do so, on behalf of our members. There are a number of very important issues raised and we look forward to discussing these further.

2. BISA is a UK registered charity and learned society. Our organisation has a membership of around 1000 members representing over 50 countries. Our charitable objectives are:

- (i) To promote and facilitate international studies in British Universities and other seats of learning and research.
- (ii) To advance the teaching and research in international studies in the relevant academic disciplines of such universities and seats of learning.
- (iii) To facilitate personal contact and communication among scholars with these interests in the United Kingdom and other countries.
- (iv) To support and develop the publication of scholarly material and research papers relevant to international studies and to distribute the results of such research.
- (v) To convene conferences for Members and others who may be invited to attend by the Committee.
- (vi) To arrange to the publication and distribution of a journal to be called "the British Journal of International Studies" or such other journals or papers as the Committee shall decide.
- (vii) To organise research study groups.

3. BISA supports the principal that knowledge should be shared and our strap line is "Sharing thoughts on International Studies". It was very encouraging to see that the working group chaired by Dame Janet Finch were able to work constructively together and to reach consensus on a way ahead. We are also pleased to see that the UK Government endorsed the findings of the Finch Working Group. We are disappointed though, with the interpretation of the Finch Working Group findings by Research Councils UK (RCUK) in particular in the formation of their Open Access policies and we await the promised HEFCE consultation with interest. The research funding body policies represents a significant shift in the current research publishing landscape. We are not sure all the matters highlighted by the Finch Group have been fully considered, especially in regard maintaining excellence and sustainability in regard to publishing for to learned societies, academics, policy makers and practitioners and publishers. The research funding policy makers appear to have focussed on Accessibility at the expense of much of the remaining recommendations of the working group.

Who are the British International Studies Association and what do we contribute to the research landscape globally and UK economy?

4. As stated in paragraph 2 above, BISA exists to promote and support international studies/relations as an academic discipline and closely related subject disciplines. We operate on a not-for-profit basis, with financial support coming through our membership fees, events, and more especially through our publishing income. Our publications, are provided free of charge for our members, and are an important member benefit and the reason many join the association especially the overseas members.

5. Learned Societies such as BISA are a key part of the scholarly landscape; they provide advice, guidance, connect academics and practitioners, provide networking opportunities, continuing professional development, conferences, dissemination of the latest scholarly research and thinking, and have a dedicated focus on their discipline. We also raise the profile of UK academia and the UK more generally, through our links and partners, collaborative working with other organisations based in the United States (International Studies Association), Japan (Japanese Association of International Relations and Europe (newly formed European International Studies Association) are current examples.

6. BISA is currently very reliant on its publishing receipts. The association publishes one Journal "Review of International Studies" which is published under contract with Cambridge University Press (a not for profit university press), the journal has a good mix of national and international manuscript submissions. This journal represents 80% of the association's annual revenue. As an organisation, we are significantly reliant on this revenue stream for our continued sustainability, so are very concerned about the time frames proposed for Open Access introduction. The journal has a rigorous blind peer review process with 74% of submissions currently rejected, in 2011 the journal was ranked 17th out of 80 journals in the field of International Relations by Thomson Reuters. The journal is one of the top UK journals in our field and highly regarded and certainly achieving publication in it is regarded as meeting a high level of research excellence.

7. BISA is a charity but also operates like a small business contributing to the UK economy creating employment both on a permanent and temporary basis, our reserves are invested in the UK, and we use professional services such as solicitors, accountants and other professional advisors. We bring foreign exchange

to the UK with our international conferences and overseas membership, for our events we hire UK hotel accommodation or university facilities contributing to the wider UK economy, we also make net VAT contributions. Any reduction in publication incomes to BISA will mean reduction in our ability to contribute to the wider UK economy as well as the scholarly research environments. This could have a significant impact on the UK economy when multiplied across the many hundreds of Learned Societies in the UK.

8. BISA also provides direct financial support to researchers such as funding through our 25 specialist study groups and workshop funding, support for PhD students at our events and in the completion of their PhDs, and travel grants and hardship funds for both national and international scholars to attend our conferences and BISA sponsored events.

9. BISA is also seen as important outside our close academic field and as part of our charitable public benefit remit. The association provides public facing easily accessible information portals through the website, newsletters and social media platforms. We also have been in more recent years reaching out to organisations such as the United Nations Association collaborating in the running of Model United Nations events for school children. BISA has been consulted by a major exam board on the updating of 'A' level Global Politics syllabus and in conjunction with this we are looking to provide support for teachers with teaching materials, who are mostly not specialised in the subject area. The BISA also offers free membership to 'A' level and undergraduate students so they have access to our academic community from early on and understand what studying our field has to offer in regard to employability and career paths.

Topic 1—*The Government's acceptance of the recommendations of the Finch Group report "Accessibility, sustainability, excellence: how to expand access to research publications", including its preference for the "gold" over the "green" open access model*

10. **"Gold"** Open Access refers to the immediate, free to read (with appropriate re-use rights) publication of the Version of Record of articles. This is the final published version, following peer review, editorial administrative input, and publisher input with copyediting, typesetting, proofreading etc.

11. The BISA journal "RIS" publishes approximately 20 out of 52 manuscripts by UK academics a year, if all opted for the "Gold" route, with an APC of £2000 per manuscript, this would not quite cover the publisher costs. In addition, we also have the Editorial administrative costs to cover to ensure submissions are scrutinised properly and peer reviewed before rejection/acceptance and to ensure excellence is maintained. So if the journal had to rely on just "UK Gold" APCs alone it would be unsustainable. However, worryingly the market may demand lower APCs. As a result, BISA will have to make a choice. We can stop many, if not all, of the activities that we support in the research landscape at a significant risk of losing our member base, or the association could accept and publish many more articles, in order to maintain our journal income. The latter means that the standards of excellence and the peer review processes will have to change significantly, putting at risk the quality standard our journal has been recognised for internationally. Otherwise we can look to increasing other income streams but this is going to mean significant adjustment in our business model and take time to make those adjustments. Worryingly we may find that we just end up squeezing already tight research budgets in different ways through increased membership fees, event registration fees etc.

12. **Journal Archives**—There has been no mention of how learned societies cover the on-going costs of maintaining journal manuscript archives under gold or green OA, so items remain free to read and accessible for many years for historical reference, currently there is a "pay-firewall" to access articles on the JSTOR archive at what point do articles become archive and can they be charged for having been Gold OA and an APC charged? What happens to existing archive items, many universities get access to the archives as part of their subscription base so these may have to continue to be charged going forward?

13. **"Green"** Open Access refers to the deposit of an author's Accepted Manuscript, the version following peer review and incorporation of the reviewers' comments. This option does not come without costs either; the academic editorial administration of peer review has staff costs for "RIS". The learned society employs appropriately qualified editorial administrative staff to ensure that submissions are of an appropriate subject and conform to the guidelines laid down by that journal; they also administer the peer review process. There are also the publishers costs associated with "Green OA". Publishers have invested in supporting that process with appropriate software systems, making it as simple, streamlined and secure as possible for those reviewers. Security of such systems is critical. Reviewer details have to be kept secure and maintained, for example when a reviewer changes jobs, location or indeed their subject speciality. The embargo period will allow a "pay-firewall" for a period of time, so some of the costs of providing green open access can be recouped.

14. For Humanities and Social Science where work is slow burn, the allowable embargo periods should be extended from 12 months to 36 months ideally, but realistically 24 months as a minimum embargo period would be more acceptable. In regard to the embargo periods it seems that RCUK think "one size fits all" policy in this regard is fine and they take no account of the type of discipline and how quickly work is discovered and recognised as ground breaking or of note, and actually read. Please Note: that the concern about embargo periods is felt not solely within Learned Societies and publishers, but amongst the wider academic community as well, and it is not about maintaining surpluses it's about covering the basic costs as a minimum. Some of the disciplines within STEM are also concerned at the proposed short embargo periods under green open access.

Topic 2—*Rights of use and re-use in relation to open access research publications, including the implications of Creative Commons “CC-BY” licenses*

15. Creative Commons (CC) licences were clearly not designed with academic publishing in mind. Their origins seem to be in the computer open source software design field. The majority of our Academic authors are very concerned about the liberal CC-BY licences currently supported by RCUK, and very much prefer the much less permissive CC-BY-NC-ND, or if all else fails the option of the CC-BY-NC. Many of the data sets used by humanities and social science researchers are already in the public domain so the need for a CC-BY license is less clear when this work would be less likely to be targeted for data mining. STEM subjects have the added protection of being able to Patent new medical discoveries, pharmaceuticals, engineering designs, so they still are able to protect their product. For social sciences and humanities the products are often thoughts, analysis and testing of theories, for which the only form of protection was the Copyright system.

16. Some of the positive outcomes of CC-BY are:

- It allows anyone, anywhere in the world, access to the Intellectual Property (IP) created by UK researchers and funded by the UK taxpayer.
- Commercial and non-commercial operations can harvest all UK generated and funded IP, repackaged, rebrand and make available to others as they see fit, including developing nations.
- Readers can do whatever they like with the contents of journal manuscripts, including translation, further dissemination, reanalysis, reinterpretation, republication with other articles or pieces of articles.
- The author(s) only need to be acknowledged.

17. Some of the negative outcomes of CC-BY are:

- UK generated and funded IP can be utilized by anyone, anywhere in the world, for their own commercial gain.
- Authors lose control of who reuses their work and importantly the context in which is it reused. Author reputation and the integrity of scholarly information are at stake. The original contribution of the author could be lost in time.
- Links to the original article can be lost which means that any updates, addenda, corrections are not included with the redistributed articles.
- Publishers less able to defend authors rights.
- Dilution of the Impact of UK research may also be a problem, if research can be reused ‘ad infinitum’ tracking reuse and the impact of the original research will be difficult if not impossible to identify/find if permissions from authors are not required.

18. It is unclear to BISA, why the UK government seeks to give away (free of charge) its intellectual property to the commercial sector and the world. Research that has been invested in by that nation’s taxpayers in this almost unilateral way. The only other current open access driver is the European Horizon 202 project, elsewhere in the world there is differing views and preferences for Open Access there appear to have been no cost benefit analysis of the affects of this. There is also a significant risk of a “brain drain” as leading UK scholars seek to move to research communities that ensure their work is valued and protected from exploitation for commercial or non-commercial purposes.

Topic 3—*The costs of article processing publication charges (APCs) and the implications for research funding and for the taxpayer*

19. “Gold” OA potentially provides a model that may be sustainable for Learned Societies such as BISA; the Article Processing Charges (APCs) may have to be much higher in order to cover the real costs of publication. However, more thought needs to be given by government to the funding for APCs costs at HEIs, it is not acceptable to say this should be funded out of Quality Related (QR) money while the QR pot is shrinking and research council funding is being reduced in real terms. This will be catastrophic for UK research, which is already woefully under-funded.

- Universities need to be encouraged to set up clear, transparent and equitable systems for allocation of and access to APC funding—otherwise we are likely to see a move towards only funding established/proven scholars as outputs required for Research Excellence Framework 2020.
- “Competition” for APC funding across disciplines and between scholars will have adverse effects on careers.
- Universities need to support APC funding for all career stages, including PhD students.
- The ability to pay rationing may limit access to Gold Open access.
- There is also the issue of Co-authored works where the Co-author is overseas and their organisation refuses or cannot contribute to the APC costs about half of all published UK papers are with overseas co-authors.

- Online journals also attract VAT which will have to be charged for APCs and is an additional hidden cost for universities.
- What effect will this have on the highly successful and internationally renowned research base in the UK?

20. It is not just the costs of Article Publications Charges (APCs) that have implications for research funding and the taxpayer. Universities are spending undisclosed amounts of monies developing repositories to store their faculty's publications when publishers already have well established systems in place. What happens to the content of institutional repositories when the public funding for such institutional repositories is unsustainable or the institutions merge or in this new economic reality go out of business? Is the work deposited there going to be discoverable?

21. APCs are currently subsidized by subscription income, if subscription income reduces significantly APCs would likely need to be higher, assuming additional, alternative income could not be found. In the case of Learned Societies, charging their members more for the services they provide might have to be an option that is considered. Their public facing information portals are provided free of charge and they would be very reluctant to change this.

22. It is possible that income from APCs could replace subscription income and thus Learned Societies activities could be maintained but at a slightly more limited level. BISA is working with our publisher to look at ways we can evenly and fairly transition some of our subscription income to APCs income. However, this needs to be a carefully monitored and balanced process, to avoid damage and disruption to the Learned Society research funding and scholarly publishing.

23. There seems to be no consideration of independent or researchers based in universities without central research funding and how they are to access Gold open access publishing, it seems they are going to be relegated to Green as their only option, which seems inequitable.

Topic 4—The level of “gold” open access uptake in the rest of the world versus the UK and the ability of higher education institutions to remain competitive

24. At the present time, Open Access uptake is predominantly in the UK and given the April deadline for the introduction of RCUK mandate, the UK will be isolated in providing Open Access to its tax-payer-funded Intellectual Property. In addition, most journals that also publish overseas academic research will maintain a subscription base and go “hybrid” so UK academics and universities will still have to fund subscriptions to be able to access research published in other parts of the world and it looks unlikely that the other two large producers of academic research China and the US are that willing to offer Open Access to their publicly funded IP.

25. If UK researchers publish in leading US journals or other leading overseas publications that do not offer Open Access and have very restrictive copyrights such that “green” deposit of final Version of Record may not be allowable either. There are concerns that this research will not be admissible for the Research Excellence Framework 2020 going forward as it will not be available as Open Access if that is the case, this will therefore significantly impact on excellence in certain fields where overseas journals are the top ranked.

26. It is also of concern the proliferation of Open Access journals in recent years that offer very “light touch peer review” such as PLOS One, where methodology is scrutinised but intellectual content and excellence are questionable. These journals seem to go for the quantity route rather than quality, and their significant revenues do not appear to be going back into supporting academic research or the wider scholarly communities, as in the case of journals published by Learned Societies.

RECOMMENDATIONS

- There needs to be flexibility by research councils and research funders for authors to choose gold or green open access routes, with limited funding flexibility needs to be provided in the systems.
- Consideration needs to be made of the Learned Society contribution to the UK economy and research funding, there appears to have been no cost benefit analysis undertaken of the changes to UK academic publishing and the knock on effects on Learned Society sustainability and the UK economy of making Intellectual Property freely available by Open Access publishing, we would ask that this analysis is undertaken in detail and as soon as possible.
- Embargo periods for Green open access in regard to the social sciences really needs to be a minimum for 24 months but more ideally 36 months to ensure Green OA provision costs are covered, our research is slow burn taking new work time to establish a readership.
- CC-BY licenses are too permissive—there is no consideration for third party copyright restrictions, there needs to be flexibility with this and the research councils need to consider making other licensing options available ideally CC-BY-NC-ND but a minimum option of CC-BY-NC. STEM sciences have other options for protection their research outputs such as patents, social science relies on the existing copyright system for similar protection.

- In regard to Article Processing Charges—there needs to be clear equitable funding allocation policies within universities across all career stages including PhDs student.
- The UK government seems to be operating in isolation with their Open Access policies which are a concern in a modern globalised world. UK intellectual property, expertise and research have value and are a commodity, sold worldwide and respected. If it is now going to be available free of charge, with the research communities of the US and China reluctant to embrace Open Access at the same pace. The UK could be making an uncompetitive move driving UK academics and researchers overseas and we need the government to monitor this closely, as the ability to continue excellent research going forward could be compromised.
- Flexibility needs to be exercised by research funders where to top ranked journals in certain fields are overseas and do not offer open access currently and have very restrictive copyrights if excellence is to be maintained across the UK scholarly community.

Gail Birkett
Chief Executive Officer

7 February 2013

Written evidence submitted by the British Library

EXECUTIVE SUMMARY

- The British Library was pleased to take part in the Finch Review and welcomed the Finch Group recommendations on open access and the Government's subsequent commitments.
- The wider accessibility of publicly-funded research, combined with flexible reuse conditions, will raise the social, economic, scientific and cultural impact of UK research.
- Any shift towards open access should be accompanied by a move to minimise restrictions and limitations on the rights of use and reuse.
- A flexible and gradual transition to open access is necessary to allow for new business models to emerge.
- While no single licence for use of open access content is perfect in all aspects, the attractions of more liberal and standardised Creative Commons licences are evident.
- The British Library supports journal content being made free to view through the public library network, but would be concerned if the repertoire of available content was wider in public libraries than at the national library.

THE BRITISH LIBRARY

1. The British Library is the national library of the United Kingdom and one of the world's greatest research libraries. Our mission is to advance the world's knowledge. We provide world class information services to academic, research and business communities as well as the creative industries, schools, further education and the general public.

2. The British Library collects, preserves and gives access to over 150 million items, including books, journals, manuscripts, music, patents, photographs, newspapers and audio-visual content, in both physical formats and the latest digital media. The Library is also home to iconic national treasures including the Lindisfarne Gospels, Magna Carta and Shakespeare's Quartos.

ACCESS TO BRITISH LIBRARY COLLECTIONS AND SERVICES

3. One of the key statutory duties of the British Library Board under the British Library Act 1972 is to make our services "available in particular to institutions of education and learning, other libraries and industry". Today, we continue to provide research services to a broad constituency including academics, business people, writers, teachers and individual researchers ("citizen scholars"). We support these varied user groups through reading room services, online services and document supply services.

4. At the heart of our 2020 Vision (<http://www.bl.uk/aboutus/stratpolprog/2020vision/>) is a passionate belief that everyone who wants to do research should have access to the rich resource of content held by the British Library. The digital environment provides an immense opportunity to democratise access to content by removing physical barriers. However, in enabling digital access, there are many competing factors at play, including striking the appropriate balance between the needs of users and the rights of creators, determining the role of public services, and bridging the digital divide by ensuring the public are able to make the most of digital opportunities.

5. The British Library needs to stay abreast of the changes in access to scholarly publications and such developments are very important to the Library: the Library subscribes to around 45,000 journals, we collect around 36,000 journals through the UK legal deposit privilege and we are a key channel for UK and overseas researchers to access scholarly articles. The access that we provide has many synergies with higher education

institutions, especially at this time when the financial power of many university libraries to subscribe to scholarly journals is diminishing.

THE UK GOVERNMENT'S COMMITMENTS ON ACCESS

6. The British Library was pleased to participate in the Finch Review and supported the involvement of all stakeholders, including publishers, academics, libraries and funding bodies. We support the commitments on access to research set out in the Government's response to the Finch Group Report published in July 2012. The British Library welcomed the statement made in May 2012 by the Minister of State for Universities and Science, the Rt Hon David Willetts MP, that "the Coalition is committed to the principle of public access to publicly-funded research results".¹⁶

7. The British Library supports the central recommendation that content arising from research, notably when supported from public funds, should be accessible to the greatest number of people and should, where possible, be subject to liberal terms and conditions for reuse. The recommendations by Dame Janet Finch will ensure that more peer-reviewed outputs of UK research are accessible globally free of charge; if combined with flexible conditions for reuse, this will raise the social, economic, scientific and cultural impact of UK research. We accept and support the principle that access to publicly funded research should be available beyond the academic research community, to benefit SMEs, life-long learners, journalists and others.

8. The British Library acknowledges the vital role played by learned societies in the scholarly communication ecosystem. These journals are often of great value. The circumstances and business models of learned society publishers should be considered in the transition to open access.

RIGHTS OF USE AND REUSE IN RELATION TO OPEN ACCESS RESEARCH PUBLICATIONS

9. The British Library supports the recommendation that any shift towards open access to publicly-funded UK research should be accompanied by a move to minimise restrictions and limitations on the rights of use and reuse, in order to take full advantage of the "open" nature of the content. This recommendation will allow researchers the freedom to repurpose material and make full use of the latest research tools, such as text and data mining.

10. The British Library believes that a suitable licence wrapper needs to be applied to open access content. No single licence is perfect in all aspects, but the attractions of more liberal and standardised Creative Commons licences are evident as they allow for greater and more flexible reuse and greater legal certainty for the user.

GOLD VS. GREEN OPEN ACCESS MODELS

11. The British Library supports the recommendation that the implementation and transition process for open access needs to be flexible and gradual, as we need to allow for new business models to emerge, both in the publishing industry and within the research ecosystem.

REPOSITORIES AND HUBS

12. The infrastructure of subject and institutional repositories should be developed so they can play a complimentary role to formal publishing models. The successes of discipline repositories such as Europe PubMed Central (<http://europepmc.org>), of which the British Library is a leading partner, should be built on. We believe that the Government should encourage a national approach to enabling the discovery of open access resources, across both open access publications and subject-based or institutional repositories, including persistent identifiers, linking to institutional and publishers' knowledge bases and other developments which are critical to improving discovery.

13. For its part, the British Library is prepared to play an important role in the collection, connection to and preservation/conservation of open access content. For example, the British Library and the legal deposit libraries in the UK will collect, preserve and give access to UK research outputs through the Draft Legal Deposit Libraries (Non-Print Works) Regulations 2013, anticipated to come into force on 6 April 2013. Under the Regulations, access to content collected through UK legal deposit will be restricted to the premises of the legal deposit libraries.

MONOGRAPHS

14. The British Library supports the efforts of UK higher education institutions, research funders and publishers to work together to promote further development in open access publishing for scholarly monographs. For example, the Library is a partner of Knowledge Unlatched (<http://www.knowledgeunlatched.org>), a global consortium piloting a new model to enable open access to scholarly monographs.

¹⁶ <https://www.gov.uk/government/speeches/public-access-to-publicly-funded-research>

15. The British Library is engaged in many other aspects of opening up information and data for researchers. We are committed to digitising our unique collections and enabling greater access for all to these resources, which is another critical aspect of opening up information, content and data in support of research.

THE FINCH RECOMMENDATION ON ACCESS TO RESEARCH OUTPUTS THROUGH PUBLIC LIBRARIES

16. The British Library supports the recommendation that journal content (both archive and current) be made free to view through the public library network at no extra cost to the public purse. Whilst the British Library welcomes greater access to content, we wish to register our concern at the possibility that the repertoire of available journal content could be wider at public libraries than at the national libraries and higher education institutions, as we would have to continue to pay for licenses. We will continue to express this concern through the implementation group and in our discussions with individual publishers.

CONCLUSION

17. The British Library strongly supports the lead that the Department of Business, Innovation and Skills is taking in the move towards a more open, accessible and re-usable model of scholarly communication. We look forward to working closely with other stakeholders in the implementation of the policy.

Tom Johnson
Advocacy Officer

14 February 2013

Written evidence submitted by British Ornithologists' Union

The British Ornithologists' Union (BOU) is a learned society serving avian researchers. We are a small society publisher and have published *Ibis—the international journal of avian science*, since 1859. *Ibis* is the highest ranked journal in Ornithology (1/20: ISI 2011).

The BOU is pleased to offer these comments in relation to Open Access publishing.

The Government's acceptance of the recommendations of the Finch Group Report "Accessibility, sustainability, excellence: how to expand access to research publications", including its preference for the "gold" over the "green" open access model

1. Learned societies view Open Access (OA) from a broad perspective. OA policy assists their charitable objectives to maximise access to research outputs, while at the same time making uncertain their financial capacity for future support of their discipline. The potential loss of income will impact on activities within their discipline, including supporting the skills pipeline and career development, engaging with the public dissemination of science and offering expert advice to policy makers.

2. We are keen to see dialogue to determine appropriate solutions that will maximise both access to research outputs and the capacity that will help to maintain income which will underpin growth and excellence in the research community.

3. The current policies on OA publishing have the potential for significant unintended consequences on the UK research base and economy—it is vital that these are addressed. Some of these potential impacts are indicated in the Finch Report, but there has been little concerted action to address them thus far and the lapse of time is adding to concern.

4. In line with recommendations to other EU governments, we recommend that an impact study of OA policies is carried out to highlight any counterproductive effects and to determine if and how OA creates economic growth in the UK as predicted.

5. With respect to the RCUK's proposal to review implementation of the policy in 2014 to make any appropriate mid-course corrections—we would urge the RCUK to widen the breadth of stakeholders that it consults, including learned societies and learned society publishers.

Embargo periods for articles published under the green model

6. Like all other publishing societies we know, we feel that the proposed embargo periods are too short and put high-quality publishing at risk.

7. Ornithology papers (and other bioscience disciplines) have a long half-life (>10 years), indicating that the usefulness and validity of the science published remains relevant for many years. For this reason we would favour an embargo period of at least 12 months.

8. The green model relies on revenues from sustainable subscription-based publishing as it makes no contribution to costs.

Rights of use and re-use in relation to open access research publications, including the implications of Creative Commons “CC-BY” licences

9. Like others, we have concerns about the Creative Commons Attribution (CC-BY) licence and the commercial use of research. Clearer guidance is needed and leadership by the Research Councils would promote progress in this area.

10. The CC-BY requirement has potential to cause the UK economy harm, both in the research arena and capitalising on UK research. CC-BY licensing should be de-coupled from the OA mandate until the economic implications for the UK are understood through a full inquiry, engaging all stakeholders. For example, the mandated application of a CC-BY licence may breach existing arrangements, where researchers obtain funding from industry partners; this could preclude future partnerships, effectively closing doors to commercial funding of UK science.

11. In order to commercialise research output, it is usually necessary to secure a proprietary position, which is often done through patenting. Once data are in the public domain (ie published), they constitute “prior art” and will preclude/restrict the granting of patent claims, due to lack of novelty. It is often the case that a commercial partner will prevent, or at least delay, publication of research that it has funded.

12. We are very concerned about the unintended consequences of adopting the CC-BY licence going much further than the Finch Report proposal and potentially seriously undermining the integrity of the science produced and published.

13. We believe that, for green OA, publishers should have complete flexibility over copyright terms for users—this could be a CC licence, a standard © line or an industry licence. The International Association for Scientific, Technical, and Medical Publishers, for example, has created a licence based on the CC-NC-ND but with additional rights for text and data mining and translations.

The costs of article processing charges (APCs) and the implications for research funding and for the taxpayer

14. Research institutions need more guidance from funders about how to allocate OA funding, and University administrators need training and support to understand the policy and inform researchers of their publishing options and requirements.

15. The RCUK initial funding and the subsequent block grants to aid implementation of its policy on OA are welcome. The RCUK initial funds have been an important catalyst for the establishment of University OA funds and the clarification of OA publishing policies, however there is concern that the RCUK has seriously underestimated the funds needed for OA publishing. As funding has only been provided for 45% of article processing charges (APC) for RCUK funded research in 2013–14, it is difficult to see how research institutions will pick up this shortfall, particularly over the transition period. Future funding levels are insufficient to cover APCs and sustain the level of publishing previously achieved. Some Universities are piloting internal funding mechanisms to address underfunding of (or indeed unfunded) authors, for example the University of Nottingham,¹⁷ but as the scale of demand is likely to increase so will the strain on these provisions.

16. A great deal of research is funded by small scale grants (eg PhD research and minor charity funding) or occurs as a “spin off” from major research projects, and is not funded directly. Funds are not generally available within universities and other institutions to pay for OA publication of this type of research. Smaller organisations and specialist societies are likely to be hit especially hard, and retired scientists are unlikely to have access to these funds. It is also unclear how indirect grant moneys will be handled given the TRAC methodology for allocating overheads. As most research outputs are published after the end of the grant, they cannot be included in the direct grant funding. The TRAC methodology makes it difficult to introduce new funding strands to indirect grant funding.

17. It is unclear how funds will be accessed by researchers and how money will be ring-fenced and managed by universities. It seems to have fallen to universities to establish an effective mechanism for OA funding, but greater guidance from government and funders is needed. There is uncertainty about the methods of allocation of funds, as well as concern that funding may be inequitably distributed amongst authors. Prioritising access based on seniority of the researcher or research area, and the OA funding requirements of primary and secondary authors, particularly for international research, will be problematic; this may discourage UK authors from taking primary authorship. If APCs apply across the board, it may be that some researchers will feel unable to submit their work to the most appropriate (and possibly highest impact) journal as they are unable to access APCs.

18. The allocation of APCs is unclear for multi-authored papers that are funded by multiple grants, and similarly when a researcher moves institution mid-way through a project.

19. Funds will also be needed to sustain the costs of maintaining journal subscriptions in the transition period, as researchers require access to material in other publications and to material for which no APC has been paid.

¹⁷ <http://www.nottingham.ac.uk/is/finding/openaccess.aspx>

20. Insufficient funding for APCs could lead to the loss of some high-impact journals, especially those published by societies, which are currently often very reasonably-priced. This would also create a loss of significant export revenue for the UK.

21. It is not clear that the full implications to universities of transfer of funding from the Funding Councils [Scottish Funding Council (SFC), Higher Education Funding Councils for England (HEFCE) and Wales (HEFCW) and Department for Employment and Learning, Northern Ireland (DELNI)] to research budgets have been considered.

The level of “gold” open access uptake in the rest of the world versus the UK, and the ability of UK higher education institutions to remain competitive

22. Publishing research is very much a global phenomenon, and so OA policy raises concerns about the capacity of UK publishers to remain internationally competitive. The UK is a relatively small market for publishers, so a major challenge will remain until international publishers universally adopt publishing approaches that are acceptable to UK authors, funders and the Government. As many of the highest-impact bioscience society publishers are based in the USA and may not offer optional open access or appropriate embargos, this may become a closed publication avenue for UK researchers, thus damaging the UK bioscience base.

23. The APC model may also discriminate against scientists from the developing world who may not have access to funding. Currently many learned societies provide journal access to developing countries at reduced rate or free of charge and there are voluntary schemes whereby publishers waive APC for disadvantaged authors.

Engagement with publishers, universities, learned societies and other stakeholders in the development of research council open access policies and guidance

24. We are concerned about the threats OA may pose to learned societies, who play a key role in scholarly communication and in the development and delivery of science both nationally and internationally, and to journals in adopting green OA based on short embargo periods. This risk was signalled by an international survey of librarians (<http://www.publishingresearch.net/documents/ALPSPAPotentialresultsofsixmonthsembargofv.pdf>) indicating the likely widespread cancellation of subscriptions especially in the arts, humanities and social sciences if journal content were freely available within six months of publication. Such widespread journal cancellation would directly threaten the capacity of learned societies to continue to develop and deliver science and scholarly communication, and the loss of learned societies would severely impact UK science.

25. There is also a lack of guidance on how part/multi-funded and/or multi-authored research (often with authors from different universities) should be treated. Perhaps the RCUK should organise a series of workshops to discuss best practice and, ultimately, generate a set of guidelines.

26. The RCUK implementation of Open Access (OA) block grants is welcomed as it will enable universities to establish central funds for paying Article Publication Charges (APCs) for authors funded by RCUK. These funds, however, are insufficient to cover all authors publishing articles resulting from RCUK-funded research and this will result in some authors being unable to choose the preferred Gold OA publishing route.

27. Universities have expressed concern about the lack of guidance and infrastructure to set up and manage OA block grants. Together, these issues place great administrative and financial strain on universities and authors who are attempting to comply with Government policy.

28. Research Information Network (RIN), in a 2009 report “Paying for OA publication charges” <http://rinarchive.jisc-collections.ac.uk/system/files/attachments/Paying-open-access-charges-guidance.pdf>, recommended that universities set up central budgets for managing and paying for APCs (see page 10). Some universities have already established central funds for the payment of APCs, eg University of Nottingham in 2007. These work well to provide a smooth payment and administration process for authors. Publishers can set up access accounts that support universities and funders with regular and detailed reports on their block grant spend. Wide adoption of this central fund model will lead to high compliance with RCUK policies within the limits of the block grants.

29. Our publishing partner’s (Wiley) OA account arrangements with universities and funding organisations in the UK and across Europe show that, where authors are fully funded by their organisations, uptake of OA is greatly increased. For example, Telethon Italy and the Austrian Science Fund (FWF), which pay directly for funded authors to publish OA with our publisher, Wiley, through a Wiley Open Access Account, have compliance rates of 48% and 35%, respectively. There are currently no central fund arrangements to pay for RCUK-funded APCs and compliance with their OA policies according to Wiley’s data is very low, at 9% for MRC and 0.9% for ESRC.

30. Even though Wiley believes that RCUK providing OA block grant monies to universities is better than providing funds through individual author grants, we feel that more funds, time and guidance are needed to ensure that all stakeholders can successfully implement and comply with the new OA policies.

 SUMMARY

31. The RCUK is taking on a huge challenge with little experience or evidence to guide it. As a stakeholder, the BOU is keen to assist in maintaining the UK's leading position in scholarly communication. We hope our comments are taken as constructive criticism from a supporter.

Our concerns fall under three main headings:

- (a) more resources need to be committed to implementation to cover not just the cost of APCs but also of organising payment of APCs;
- (b) more attention must be given to a viable green OA option since there will be insufficient funding for APCs; if embargo periods are too short (<12 months), subscription journals are at risk, as are the societies that rely on the revenue they generate and the fundamental role they play in science development and delivery; and
- (c) a review of Creative Commons based licensing policy is required to ensure licences provide enough flexibility; this should include considering other licencing options. In addition, we question the right to impose licensing policy on green OA articles.

4 February 2013

Written evidence submitted by the British Psychological Society

The British Psychological Society, incorporated by Royal Charter, is the learned and professional body for psychology and psychologists in the United Kingdom. We are a registered charity with a total membership of just under 50,000.

Under its Royal Charter, the objective of the British Psychological Society is “to promote the advancement and diffusion of the knowledge of psychology pure and applied and especially to promote the efficiency and usefulness of members by setting up a high standard of professional education and knowledge”. We are committed to providing and disseminating evidence-based expertise and advice, engaging with policy and decision makers, and promoting the highest standards in learning and teaching, professional practice and research.

The British Psychological Society is an examining body granting certificates and diplomas in specialist areas of professional applied psychology.

1. *Executive Summary*

1.1 We are supportive of the need to increase the openness and availability of research findings, and exploit technological advances in publishing. We are, though, concerned that the rate of movement to Gold open access may lead to unintended consequences with respect to the sustainability of UK research publishing and our competitiveness in international research. We would urge that further consideration takes place in a number of key areas with a view to ensuring that all available evidence is distilled to inform decision-making. As a learned society, we would offer whatever assistance we can in this respect.

1.2 Our particular concerns are that:

- In the move to Gold, the sustainability of the Green route has had insufficient attention.
- Assumptions concerning the relationship between embargo periods and subscription cancellations have not been evidence-based and have not taken into account fully differences in publishing patterns between disciplines.
- The impact of current mandates upon the viability of some learned societies has been underplayed.
- The CC-BY licence will “give away” UK innovation.
- The proposed system will remain underfunded, and increased costs of APCs and administration will reduce funds for research.
- In leading the move to Gold internationally, the UK may disadvantage our own researchers and their output.

2. *The government's acceptance of the recommendations of the Finch Group Report “Accessibility, sustainability, excellence: how to expand access to research publications”, including its preference for the “gold” over the “green” open access model*

2.1 The Finch Report emphasised the importance of a gradual transition to Gold open access to allow stakeholders to put in place sustainable systems. In moving ahead very rapidly after consideration of the Finch Report, we wonder if the Government has undertaken sufficient analysis of the intended and unintended outcomes of the different models.

2.2 The Finch Report drew attention to the significant cost of the Gold route, and it is becoming increasingly clear that there is insufficient funding being made available directly through grants or via Higher Education

Institutions (HEIs) to support a move to Gold for a majority of publications. While the Green route is proposed as a transitional route to “mop up” publications for which there is no funding, there is clear evidence that short embargo periods, particularly in relation to Humanities and Social Science (HSS) papers, will undermine the subscriptions model upon which the Green route depends. This evidence comes from the citation patterns for such papers, which show that their currency persists over long periods, and from the Association of Learned and Professional Society Publishers (ALPSP) survey of librarians, which indicated that subscription cancellations would take place if short embargo periods were in place. We have heard assertions that short embargo periods do not undermine the subscriptions model but we have not seen evidence for these assertions.

2.3 While current mandates and the decision tree produced by the Publishers Association and endorsed by BIS make allowance for broad differences in subject areas, there does not appear to be any systematic evidence on what would be the ideal embargo period for sustainability. This may be due to the fact that the Green route is regarded as part of the transition to Gold, but most forecasts are for a “mixed economy” for the foreseeable future. Unless there is appropriate evidence-based differentiation in embargo periods, rather than the one-size (or two-sizes) -fits -all, the Green route may simply not be sustainable.

2.4 If there is a steady move to Gold, inevitably there will be a “tipping point” for library subscriptions, undermining the Green route with the ironic result that in the short or, perhaps, long term taxpayers could get fewer publications for their investment.

2.5 Given the lack of any prospect of comprehensive funding in the system (see below) it would seem essential that a healthy Green route is available and sustainable.

2.6 The need for a planned and gradual transition can be illustrated with respect to the group of stakeholders to which we belong. UK learned societies own many journals of international high standing but are poorly equipped to adapt rapidly to different publishing business models. Their journals bring income in to the UK as the majority of their subscriptions are from overseas, particularly the US. This income is spent within the UK to develop science and practice, and to build capacity through support for young researchers. A rush to Gold with no sustainable Green route threatens the viability of these journals and in some cases the learned society which depends largely upon journals income for its work. The Finch Report recognised this risk but the rapid move to implementation and the subsequent Research Councils UK (RCUK) mandate have not taken account of this important group of stakeholders and their contribution to education, training, the promotion of UK scholarship and the reputation of the UK internationally.

3. Rights of use and re-use in relation to open access research publications, including the implications of Creative Commons “CC-BY” licences

3.1 We have serious reservations concerning the use of the CC-BY license and the lack of any control on the use and re-use of publications globally. It is difficult to understand how this can benefit the development of business/innovation in the UK. By using this form of license, the UK taxpayer would appear to be funding global commercial interests.

4. The costs of article processing charges (APCs) and the implications for research funding and for the taxpayer

4.1 From information available at the moment it would appear that there will be a significant shortfall in funding for APCs. Although the RCUK block grant system is being established, some HEIs are maintaining that the estimates of the proportion of publications that will be funded for Gold are overoptimistic. It is likely therefore that, unless there is a very significant increase in research funding, much research will rely on the Green route.

4.2 In addition, without a sustainable Green route supported by subscriptions, early career researchers and independent researchers may have their ability to publish impaired or removed.

4.3 There is already a growing number of Gold open access journals offering publication for relatively modest APCs. These do not provide rigorous peer review and hence do not have to cover the associated operational costs of this and other services such as copy-editing. In addition, existing journals may trade quality for volume in order to maintain income. High quality can be undermined by low APCs, with the result that articles may be available to all, but the additional burden of evaluating research and determining quality will fall upon researchers. Time spent on this task could result in decreased output unless funding rises.

4.4 The highest quality journals are likely to be able to command high APCs and maintain their position. Paying these APCs from block grants will necessitate more output using the Green route to compensate.

4.5 Block funding introduces a decision for universities on the allocation of APC support. This requires additional expenditure on the necessary infrastructure for decision making. Therefore, less of taxpayers’ money will be available to support the research itself or other educational output from HEIs.

4.6 Differentiation by discipline is an issue that arises with respect to funding as well as with embargo period length. Much Science, Technology, Engineering and Mathematics (STEM) research falls within the remit of large commercially—funded trusts and 90% of RCUK funds that also goes to these areas. APC funding for HSS research is likely to be much smaller and hence there will be a greater dependency on the Green route.

5. *The level of “gold” open access uptake in the rest of the world versus the UK, and the ability of UK higher education institutions to remain competitive*

5.1 The UK is ahead of most other countries in its push for Gold open access and it is not clear that Gold will be the majority model globally. For example, versions of the Green route are preferred in the US and Australia.

5.2 The most significant danger of the UK’s decision to go ahead at speed is a restriction of outlets for UK researchers—the highest impact journal for dissemination of a given piece of research may not offer a Gold option or comply with Green OA and CC-BY licensing. There is anecdotal evidence that some US journals are content not to receive UK submissions with the restriction of an OA mandate and have no intention of changing their publication policies.

5.3 If outlets for UK research are restricted, there is the potential for the loss of standing in particular areas. The UK taxpayer could be funding a publication system that reduces the competitiveness of our science and scholarship.

Professor Ann Colley
Chief Executive

6 February 2013

Written evidence submitted by The British Sociological Association

EXECUTIVE SUMMARY

1. The British Sociological Association (BSA) read “Accessibility, sustainability, excellence: how to expand access to research publications”—the Report of the Working Group on Expanding Access to Published Research Findings. We read with increasing concern the policies that were subsequently released and the announcements of funding. We have consulted with our membership and they have expressed significant concern. While they are in favour of widening access to research and reducing the financial barriers to knowledge access, they are very concerned by the application of financial barriers to authorship and the right to publish.

2. The BSA supports the principle of widening access to research findings. Making research results widely available could have many positive outcomes. Widening access to published journal articles broadens the reach and impact of our research beyond the academic community in universities—to charities, businesses, those working in the public sector or outside academia and the wider (global) public.

3. However, the current implementation and funding of open access journal publication raises many questions about how such policies will affect research and publishing in the social sciences and the arts and humanities. We have strong concerns that current policies are being pushed through too quickly, without thinking through all the implications of change, with minimal modelling of the effects of change and little concern for the effects of implementation on universities, research and publication in different disciplinary areas, and the viability and survival of learned societies which are essential to the health of academic disciplines.

4. While the overall principle is laudable, the details of implementation seem destructive. The current policies may widen access to research but may also reduce the ability to publish, or possibly reduce the research that is conducted.

5. *The BSA recommendations are as follows:*

- 5.1 A re-examination of the recommendations of the Finch Group Report and a slower, more considered move to Open Access.
- 5.2 Consultation, research and consideration of the effects of Open Access policies on HSS disciplines, the UK in its international context, the position of the Learned and Professional Societies and the funding needed to achieve the goals of OA. This research should include systematic data gathering, modelling and analysis that is properly peer reviewed.
- 5.3 A delay on the RCUK implementation date of 1 April 2013.
- 5.4 Systematic research into the condition of the Learned and Professional Societies, their contribution to the scholarly ecosystem and an understanding of the effects of OA policies on them.
- 5.5 A delay to policies relating to Research Excellence Framework 2020 (research evaluation exercise).
- 5.6 Further exploration of suitable licenses for scholarly research.

6. *Scholarly publishing forms one part of the complex UK research ecosystem. Open Access policies present a major change to scholarly publishing and therefore to the entire research ecosystem. As with all complex systems in the natural world, a change that occurs gradually allows for adaptation and evolution. A sudden change that is can bring about destruction and extinction.*

ABOUT THE BSA

7. The British Sociological Association (BSA) is a registered charity and a company limited by guarantee. It is the national subject association or learned society for sociologists in the UK and its primary charitable aim is to promote sociology. It has a membership of over 2,700. It operates a network of over 40 active research interest groups and specialist groups. Research interest groups range in size from 20 people to well over 300. Members of research interest groups do not have to be members of the BSA which means that our research networks are cross-disciplinary, extending beyond Sociology and actively encouraging information exchange. Specialist groups include our postgraduate forum, early career forum and our sociologists outside academia group. We have a busy annual programme of about 70 events each year. Our annual conference is the largest event in our calendar, attracting between 600 and 1,200 delegates. We publish four learned journals and two popular magazines for our members. We also maintain a website and have a lively Facebook following. We are actively involved in the work of the Academy of the Social Sciences and have an External Affairs Group which makes important sociological contributions to policy through consultations; therefore the BSA acts as a conduit for knowledge transfer between active researchers and policy-makers. For more information see www.britsoc.co.uk

How does the BSA contribute to the research ecosystem?

8. Like other Learned and Professional Societies, the BSA exists to promote and support our academic discipline which is Sociology. We are not-for-profit, supporting our work through our membership fees, events income and publishing income. Our publishing income currently provides approximately 45% of our annual income. Our publications are an important member benefit which we provide free or at a subsidized rate to our members. They are also an important aspect of achieving our charitable aims of promoting Sociology and enabling the dissemination of quality sociological research to a broad, international audience.

9. As one of the many Learned and Professional Societies in the UK, we are a key part of the scholarly ecosystem; we provide support, advice, guidance; we connect academics and professionals; we facilitate networking opportunities, continuing professional development, conferences, and dissemination of the latest scholarly research and thinking; we provide quality control and validation for that knowledge. We are independent of institutional politics and public funding and have a dedicated focus on our discipline. We also provide direct financial support to the research ecosystem, such as funding to assist research collaboration and dissemination through meetings and conferences, funding to support PhD students and early career researchers and grants which support research and travel to national and international conferences.

10. We pride ourselves on producing and publishing high quality information and invest considerable resources to ensure such high standards are maintained, for example by employing staff that provide guidance, training and administrative support for our journals. This guidance and support extends to prospective authors, journal editorial teams and peer reviewers through the management of the peer review process and timelines; the coordination and provision of advice and training; the facilitation of editorial board activities; and the facilitation of appeals panels which are an integral part of the academic publishing world.

11. Like other Learned Societies, as the national subject association for our academic discipline, we are recognised outside our academic and professional sphere as a very important source of information, with journalists and the general public regularly turning to us for information and advice. Learned and Professional Societies like the BSA are a key part of the scholarly research ecosystem and like any ecosystem, damage to one part leads to many unforeseen problems in other parts of the system.

TOPIC 1

The Government's acceptance of the recommendations of the Finch Group Report "Accessibility, sustainability, excellence: how to expand access to research publications", including its preference for the "gold" over the "green" open access model

12. The British Sociological Association (BSA) supports the aims of Open Access (OA), that is of widening access to research but we have significant concerns about the methods of achieving the aim. We are particularly concerned about unintended, negative consequences of a rapid change to the scholarly publishing ecosystem.

13. The BSA understands and supports the overall aim of opening up access to the results of academic research to the wider community and the specific aims stated in the Finch Group Report (p 5). We note that these aims may be achieved by a variety of means, including the Gold OA and Green OA models that have been put forward, as well as schemes to license publications and open Higher Education Institution (HEI) libraries to a broader public which so far have received little attention.

14. We also note that many of the key actions recommended by the Finch report do not seem to have been actioned prior to the implementation of OA policies by Research Councils UK (RCUK). In particular we note the *Key actions: overall policy and funding arrangements* (p 8) in relation to supporting the costs with considered funding increases, gathering and analysing reliable data and reviewing the position of Learned and Professional Societies.

15. Currently, research publications are accessed largely via the subscription model: interested readers pay a subscription fee, or belong to an institution that has paid a subscription to a journal.

16. The proposed Gold model involves an article processing charge (APC) paid to the journal to make the official article of record OA immediately upon publication. APCs can range from £500 to £5000 per article, depending on the journal (anticipated costs of £500-£1500 per article in the social sciences).

17. The Green model involves the author depositing his/her post-peer review article (but not version of record) in an OA repository after a suitable “embargo period”. Deposit is frequently permitted six or 12 months after the publication of the version of record. The publisher informs authors of the embargo period. The repository for deposit may be an institutional repository or it may be a subject repository—like PubMedCentral. Access to the version of record is achieved through the payment of a subscription fee—institutional or individual.

18. The BSA is not convinced that the Gold model will achieve the stated aims of the Finch Group Report, particularly as the funding provided so far is inadequate to cover the costs associated with this model. The Finch Group Report estimated £50–60 million a year (£38 million specifically for publications charges) to aid the transition to Gold (p 11) and this level of funding has not been provided. To date, funding seems to be £27 million in total, as far as we can assess (see paragraph 40).

19. Given that not all publications can be published via the Gold OA route (due to lack of funding), the Gold model will co-exist with the Green model and also with the subscription model. However, a number of unintended, detrimental consequences may result.

19.1 The BSA sees the Gold model as a threat to academic freedom as academics will have to compete internally within their HEIs for APCs. Publication may therefore not rest on the quality of work done and peer reviewed by subject experts, but may be judged by academic managers and committees, who may be influenced by internal academic politics, subject to the pressures of allocating scarce resources without necessarily being able to make specialist quality judgements which are the business of the journal editors and peer reviewers.

19.2 A multi-tiered publications hierarchy may result whereby research articles published Gold OA are better regarded: they will have been through an additional level of peer review within the HEI in order to have been granted the APC; they will be immediately accessible and more easily discoverable on the internet, increasing their dissemination and impact. However, the articles benefitting from the Gold advantages may not be the highest-quality articles—they will be the ones with access to funding.

19.3 By connecting financial payments to articles accepted, monetary concerns may pressure editorial decisions. It is clear that many journals will offer hybrid models of Gold and Green OA alongside subscription. If the income balance between APCs and subscriptions is not enough to sustain a journal, editors may be under pressure to select articles on the basis of income generation rather than quality. This would be an unacceptable development that would undermine the reputation of UK journals and threaten their rating and standing.

19.4 We are also concerned about the future of peer review and editing. Although peer review and editing is largely done by academics at HEIs, it is not an activity organised by those HEIs. It depends upon the identification that academics feel for their subject, or for the specific topic of the journal. This, in turn, depends upon a sense of reciprocity that publishing in journals carries a responsibility to review for journals in return. APCs potentially undermine that responsibility. The inadequate funding and any asymmetry in distribution of funds for APCs among academics may potentially have negative consequences for the willingness to review and edit, further damaging the rigour and quality of UK journals.

20. The BSA is concerned about the survival of journals given the sudden nature of the change imposed by the OA policies. If the UK is to continue to publish high-quality research that has been verified by a rigorous peer review process, the implementation of policies needs to allow these journals to be financially viable. Given that journals will have to offer the hybrid model of publication—Gold, Green and subscription—the embargo time for the delayed Green OA is, therefore, an important issue for the future of journals. Embargo periods that enable the maintenance of some subscription income will allow journals to survive during the transition to OA publishing. Without subscription income, the level of APCs likely to be charged in the humanities and the social sciences (HSS) will threaten the viability of rigorously peer reviewed journals and thus the dissemination of the research that they enable.

21. There are significant differences between academic disciplines regarding the effective, useful life of articles. Currency passes much more quickly in some subjects so a shorter embargo period (under Green OA) may be appropriate. The useful life of articles in the Sociology and many other disciplines is significantly longer. In HSS journals, the majority of article usage is to articles older than one year. We do believe that this is the case with sociology and most other social science subjects. The most read (downloaded)¹⁸ articles in the BSA’s flagship journal have publication dates ranging between 1972 and 2012, demonstrating that a good sociological article has significant value long after publication. An embargo period of 24 months seems

¹⁸ Most Read Articles during January 2013—updated monthly <http://soc.sagepub.com/reports/most-read> (accessed 07 February 2013)

more reasonable than one of 6 to 12 months, if subscription income is to be maintained for journals—and therefore their health and existence.

22. The BSA is also very concerned about the position of Learned and Professional Societies. We, as with many such societies make a valuable contribution to the UK research ecosystem. We are very likely to experience negative effects from the move to Gold OA. As a learned society, much of the funding that supports the work of the BSA comes from journal subscriptions. The cost of our current range of activities is not met by membership subscriptions and income from events and conferences alone. Like other learned societies we face the prospect of drastic reductions in the services we will be able to offer our members and new entrants to our profession such as postgraduates, early career researchers and researchers outside the academy. We currently provide space and opportunities to connect researchers in Sociology, drawing attention to UK academia and attracting international specialists into the UK. We promote, support and nurture our discipline in an independent and dedicated way that no other institution or organisation can do.

23. The income received from academic journals is reinvested in the guidance, support, training and networking events, publications, peer review and award schemes which support the future of UK academic disciplines. We also function as a conduit of advice to the government and funding bodies by direct response to consultations and the facilitation of consultation meetings, through, for example, the co-ordination of responses, provision of meeting venues, and funding of travel and accommodation.

24. Whilst we are still attempting to model the likely impact of current proposals and policies, it is already clear that many of these important activities are under threat. In particular, the learned society support for peer review, editorial functions, author services and general support/advice on publishing will be some of the first services to be lost. More time is needed for any transition to new systems and for the development of new business models if learned societies and our important contribution to knowledge creation and professional development is to be protected.

25. The BSA believes that future developments in OA need to engage much more fully with the academic community, taking account of the range of academic disciplines, their learned associations and their particular issues.

26. The BSA believes that further, systematic research into the condition of the Learned and Professional Societies is needed to fully understand the implications of policy developments and ways in which Learned and Professional Societies can contribute to achieving the aims of the Finch Group Report. The RCUK implementation date of 1 April 2013 is too rapid and has allowed no time for consultation, research and consideration of the effects of OA policies on HSS disciplines and the learned societies.

27. In particular, we believe there should be no hasty decisions about the Research Excellence Framework 2020 (REF). REF is the evaluation exercise system for assessing the quality of research in UK HEIs. We are disturbed by suggestions that all research conducted in UK universities should be defined as publicly funded and therefore might come under prescriptive policies by Higher Education Funding Council of England (HEFCE). Since new funding regimes are steadily reducing the flow of public funds into the social sciences and humanities, this is not justifiable. Only the Mainstream Quality Related Research Funding (QR)—provided to universities by HEFCE—research council or other government grant funded research can in our view be seen as publicly funded research. Should QR income be concentrated further after REF 2014, this will mean that significant research activity is undertaken without public funding or that the breadth and depth of research activities is diminished.

28. The BSA recommends a re-examination of the recommendations of the Finch Group Report, involving further systematic research which is properly peer reviewed, and a slower, more considered move to Open Access.

TOPIC 2

Rights of use and reuse in relation to open access research publications, including the implications of the Creative Commons “CC-BY” licences

29. Current Open Access policies require research to be published under the CC BY (Creative Commons license) which allows unrestricted distribution, reuse and remixing of any material as long as the original author is credited. This license allows parts or all of a piece of work to be distributed, built upon, changed, remixed, etc. for both commercial and non-commercial purposes.

30. The CC-BY license could mean that research and data is used in unintended ways with the original author’s name associated. We believe that this is a threat to the intellectual property rights of authors and opens up the potential misuse of academic research. Academic research is frequently nuanced and complex. Reuse that is not carefully considered could result in significant misuse or misinterpretation of research findings thereby reducing or negating the value to the reader and the public. In some cases it may be harmful by allowing the dissemination of misinformation or error.

31. Much social science research includes sensitive data, such as that involving vulnerable populations; appropriate reuse is important.

32. Currently, reuse of data is monitored and evaluated by the publishers and authors of that research. The CC-BY license will not allow them to efficiently and systematically monitor reuse.

33. Currently, errors, addenda, additional information, etc. made to an article at, or post, publication are publicized and maintained by the publisher on the Version of Record. Unrestricted reuse of academic research under the CC-BY license will mean that such errors, addenda and additional information is not effectively disseminated to all the reuses of the research. Without access to these elements, the value of the research to the reader and the public may be reduced or negated. As stated above, it may be harmful to allow the continued dissemination of misinformation or error.

34. Under the CC-BY license, commercial reuse is unrestricted. UK and International commercial bodies may benefit financially from such research while not necessarily providing any return for the UK population.

35. Research publications can be enriched with visual material (photos, video, audio). Sociological research can make important use of visuals both as tools for research and as material for analysis. With the CC-BY license, the use of such 3rd party images, video, etc in research publications will require significant attention and management: permission requests, possible cost of compensation to the owner of the image/video/etc and the monitoring of the reuse will create a significant burden on the publishing ecosystem. The general naivety about intellectual property rights and online reuse is likely to create significant problems for monitoring and enforcing the correct licensing and reuse of research and its 3rd party material.

36. We advocate further exploration of suitable licenses for scholarly research. In the absence of fit for purpose alternatives, we support the use of a CC-BY-NC-ND (creative commons non-commercial non-derivative) licence. This licence will not allow commercial reuse, or tweaking or reuse of parts of an article without permission and possibly compensation to the original author.

TOPIC 3

The costs of article processing charges (APCs) and the implications for research funding and for the taxpayer

37. The BSA is concerned with the additional costs of Gold OA publication at a time when research budgets are under pressure from many other areas. The addition of significant additional costs for publication, which is a necessary research activity, may result in a reduction of research overall, with would be to the detriment of the taxpayer and the UK as a whole.

38. Article processing charges are those paid by an author (or author's HEI) to the publisher to cover the costs of the publication of that article. In return, the publisher makes the article version of record freely available online to anyone who wishes to read it. APCs can range from £99 to £5000 per article, depending on the journal and discipline. APCs represent a significant additional cost to research.

39. Under current proposals limited funds are being made available to universities to pay the costs of APCs. We are concerned that this funding is inadequate to support the current level of research article publication. Many universities will get little or no additional funding to cope with the additional costs of publication in the short and medium term.

40. Only 30 research intensive universities received extra funds (£10m) from the Science budget,¹⁹ meaning that for the majority of institutions there is no extra money to pay for APCs. Other funds are coming from the RCUK Block grant²⁰ on a basis that relates to historic funding of research in universities. These additional funds are unlikely to meet the costs of publishing all the papers resulting from RCUK funded research. The total funding described here does not match the £50–60 million/year estimated by the Finch Group Report (p 11). This funding is also concentrated in particular HEIs, meaning that the access to funding for APCs will be unequal across UK HEIs. At an apparent total of £27 million, the shortfall in funding to cover APCs may have to be funded from the Mainstream Quality Related Research Funding (provided to universities by HEFCE)—thus reducing the funds available for research within universities. At the same time, the distribution of QR income is becoming increasingly concentrated among the same group of universities benefiting from the additional funding from APCs.

41. Much research in Sociology, and other disciplines in the social sciences and humanities, is not funded from research council grants and takes place outside of the 30 institutions that received modest extra funding. The publication of this research will not therefore benefit from any additional funding in this transitional period.

42. Researchers without access to funds will either need to opt to publish with the subscription model or the Green OA model. Therefore, academics working in sociology and other HSS disciplines may find it very difficult to find funds for the publication of their research. They will have to resort to the Green OA route (delayed OA) and UK researchers will still need to pay subscription fees to access the latest research and to the version of record.

¹⁹ RCUK welcomes additional investment in Open Access (7 September 2012) <http://www.rcuk.ac.uk/media/news/2012news/Pages/070912.aspx>

²⁰ RCUK announces block grants for universities to aid drives to open access to research outputs (8 November 2012) <http://www.rcuk.ac.uk/media/news/2012news/Pages/121108.aspx>

43. Some supporters of the Gold OA route say that HEIs will be able to pay APCs out of savings on library budgets—once articles are published OA, HEI libraries will not have to pay subscription fees for article access. These savings are unlikely to materialise. Because some research will still be accessible only through subscriptions, institutions are likely to have to pay journal subscriptions for some considerable time. As stated above the amount of funding will not cover APCs for all UK research, therefore access to articles published Green OA will need to be purchased. UK researchers will also need access to the older, non-OA articles of many journals (back catalogues) because these older articles are still of use (see paragraph 22) and that access will need to be purchased. UK HEIs will also need to purchase any international content that is not OA compliant. The non-purchase of any of this journal content could significantly weaken the research produced in the UK. Because journal subscriptions are sold primarily in packages or “bundles” which may include OA and non-OA content (eg international), back content, libraries are unlikely to see any significant reduction in the subscriptions they already pay. There is, therefore, little prospect of any substantial reduction in library budgets and any savings that could be transferred to APCs.

44. Academics in many institutions will either be priced out of journal publication (opting for Green OA delayed by an embargo or subscription publication) or their institutions will have to make cuts elsewhere in order to fund publication. The BSA would also like to draw attention to the position researchers who are based outside of academia. Feedback from our members based outside of academia indicates they will be unlikely to have access to funds for APCs. They may also not have access to an appropriate repository for deposit under the Green model of OA. The result will be that such publications remain published under the subscription model (in the UK or internationally) or go unpublished.

45. It seems very clear that APCs represent an additional burden on research budgets. Either additional taxpayer funding will be required to pay for publication, or the current level of tax payer funding will cover both research and publication. In the latter case, less research will be undertaken.

46. With APCs adding a great burden to research budgets and HEI finances, one must consider where cuts are likely to be made. Less funding for research may mean that the paid time of academics at these institutions will be further squeezed, resulting in the reduction of the time given to the peer review and editorial functions which are essential to the health of journals and the proper dissemination of research.

47. The implications of making UK research OA to a variety of UK and non-UK for-profit organisations do not seem to have been fully considered. These organisations may include for-profit providers of undergraduate degrees with full access to research materials, but without the research demands. The current UK HEIs may be significantly disadvantaged in a competitive market by the declining public funds, the need to meet APC costs while competitors do not have the same demands. The result will not be a level playing field.

48. If the aim of OA is to widen the dissemination of research to the tax payer and the general international public, policies which may reduce the amount of research available to disseminate seem counterproductive. Overall research may reduce due to the pressures on research budgets; some research conducted will be published Green OA and therefore only accessible after a delay; budgetary pressures may threaten the survival of some institutions and the research performed there. Therefore, either the taxpayer provides additional funding or we will experience only limited increased access to the research funded by UK taxes.

49. In our view, it is highly problematic that the OA policy is being pursued, just as the proportion of public funding supporting HEIs is declining significantly. We believe that more work needs to be done to develop policies that address the diversity of academic disciplines and the legitimate concerns of all stakeholders. We would support the recommendation of the Academy of Social Sciences for a more detailed enquiry and research into the implementation of OA policies.

50. The BSA recommends a more careful and systematic examination of the funding required to support meeting the true aims of OA and the Finch Group Report. Financial modelling, considering the specific cases of many individual disciplines should be undertaken and peer reviewed by the academic community. Most academics support the aims of OA and would welcome an opening up of research. However, to do so at the risk of the very research they perform is strongly opposed.

TOPIC 4

The level of “gold” open access uptake in the rest of the world versus the UK, and the ability of UK higher education institutions to remain competitive

51. The British Sociological Association believes that Gold OA, as it is current being implemented, poses a risk to the competitiveness of UK higher education systems and to UK research more generally. The UK, China and the US are three top countries producing research in the world.²¹ The US and China have made no policy announcements mandating OA, much less Gold OA. Therefore, as of 1 April 2013, the UK alone of its two major competitors will be offering all its research on an OA basis. The isolated position of the UK poses a risk to competitiveness in multiple ways:

51.1 Additional financial burden on UK institutions that is not born by the UK’s competitors.

²¹ The stm Report: An overview of scientific and scholarly journal publishing http://www.stm-assoc.org/2012_12_11_STM_Report_2012.pdf

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- 51.2 As described in paragraphs 38–45, APCs and the associated administrative support will place a significant additional financial burden on UK HEIs. This burden is not being shared by international competitors.
- 51.3 UK HEIs may also bear an additional financial burden through the support of the Green OA route to publication. The co-existence of Green OA will mean that repositories and associated administrative support will be required to meet OA mandates where funding is not accessible. HEIs will have to continue their investment in repositories.
- 51.4 As described in paragraph 43, the costs of journal subscriptions to libraries will not reduce and UK HEIs will not experience a financial saving on subscriptions that could be routed to pay APCs. To maintain international competitiveness, UK HEIs will need to purchase continued access to international, non-OA journals and to back issues.
52. Reinforcement of multi-tier publications.
- 52.1 The inadequate funding for Gold OA and the use of Green OA as an alternative model may create a hierarchy of publications based on access to funds rather than quality (as described in paragraph 19.2). This hierarchy may be further reinforced by UK journals out of financial necessity in order to retain adequate administrators, editors, peer reviewers and publication technologies. The top journals publish a mix of UK and international research, bringing the best research to the UK and the best of UK research to an international audience. To welcome and accept submissions from international academics without funds for APCs, UK journals will need to sustain a “hybrid model” of publication. The hybrid model allows some research to be published OA and other research to be accessible only with a paid journal subscription. This model will be essential to fulfilling the international role of UK journals.
53. Reduction of international exchange with UK research.
- 53.1 Current OA policies may restrict the international publishing opportunities of UK researchers. Under current policies, all UK publicly funded research must be published OA. UK academics may not be able to publish their research in highly rated journals overseas because such journals may not be compliant with the UK OA policies. International publication is important to the development of world class research.
- 53.2 The current OA policies may restrict research partnerships and co-authorship involving the UK and international countries. Under current policies, all publications resulting from research wholly or partially funded by public funds will be published OA. Where research results from UK and international collaboration, we assume that the publication will be subject to the OA policies of the UK. This places a significant burden on the international research team to comply with OA policies and locate funds for APCs. Where international collaborations involve countries without significant research budgets or developing world academics, publication funds may be very difficult to locate. These challenges may result in a reduction of international collaborations with UK researchers.
- 53.3 The international competitiveness of UK research will be reduced if publication becomes insular.
54. Reduction in number of UK researchers on financial basis.
- 54.1 The financial pressures imposed on publication by Gold OA are likely to make entry into research difficult. These financial pressures are also likely to make advancement in the research job market difficult. The hierarchy of publication (described in paragraph 19.2) will mean that Green OA publications are disadvantaged.
- 54.2 Researchers enter the UK and the international market by publishing research. Publications are the portfolio of an academic and are essential to the CV and to career advancement.
- 54.3 Publications are also significant to HEIs for the assessments of these institutions by the Higher Education Funding Councils. The evaluation exercise for assessing the quality of research is currently called REF—Research Excellence Framework. Publications form a significant part of the evaluation and therefore higher education institutions desire researchers with publications (or with the potential to publish) to strengthen the REF submission and contribute to the strength of the university overall.
- 54.4 Early career researchers first publications generally result from their PhD research or early research projects. Such research is frequently partially funded (therefore subject to an OA policy) but not accompanied by significant funding for publication; therefore funding must be sought either from the HEI at which the PhD was conducted or from the HEI at which the researcher is hired. Will HEIs provide such funding or will the provision of such funding become another aspect of job negotiations and benefits? The BSA is concerned that the provision of support by HEIs will be limited by lack of funds, subject to research agendas and difficult to win. All academics will be in competition for scarce APC funds and early career academics may be at a disadvantage over their higher profile, more experienced colleagues.
- 54.5 These funding challenges may make publishing first articles via the Gold route difficult and may therefore disadvantage the entry of new UK academics into the industry. Feedback from

our membership demonstrates significant concern from PhD students and early career researchers; many do not see academia as a job option if there are to be significant financial barriers to their career progression.

- 54.6 The same difficulties described in paragraph 54.5 may also apply to part-time academics and those who have taken a break from academic activities to have families (particularly female academics).
- 54.7 A consequence of the Gold OA system may be a reduction in the number of researchers entering or remaining in the academy due to the barriers to career progression and this reduction will have been created by access to funds—not by quality of research or abilities.
- 54.8 Significant non-entry into and exit from academic research on financial grounds rather than on quality standards threatens the international competitiveness and the future of UK research.

55. Loss of support from Learned Societies

- 55.1 As described in paragraphs 22–23, learned societies such as the BSA play a significant role in supporting academic research in the UK. As described in paragraph 24, learned societies in the UK are at risk from the sudden loss of journal income. The loss or weakening of UK learned societies as contributors to the research economy will affect the competitiveness of the UK research overall.

56. The BSA recommends consideration of flexible OA policies that can account for the position of the UK in its international context. In order to develop such appropriate policies, we return to our recommendation for systematic data gathering, modelling and research that is peer reviewed.

RECOMMENDATIONS

57. In conclusion, the BSA recommends the following:

- 57.1 A re-examination of the recommendations of the Finch Group Report and a slower, more considered move to Open Access.
- 57.2 Consultation, research and consideration of the effects of Open Access policies on HSS disciplines, the UK in its international context, the position of the Learned and Professional Societies and the funding needed to achieve the goals of OA. This research should include systematic data gathering, modelling and analysis that is properly peer reviewed.
- 57.3 A delay on the RCUK implementation date of 1 April 2013.
- 57.4 Systematic research into the condition of the Learned and Professional Societies, their contribution to the scholarly ecosystem and an understanding of the effects of OA policies on them.
- 57.5 A delay to policies relating to Research Excellence Framework 2020.
- 57.6 Further exploration of suitable licenses for scholarly research.

7 February 2013

Written evidence submitted by John Bynner, Emeritus Professor of Social Sciences in Education, Institute of Education and Harvey Goldstein, Professor of Social Statistics, University of Bristol

ACCESS FOR ALL; THE FUTURE OF ON-LINE ACADEMIC JOURNALS

There is general agreement that free and open access to scientific knowledge is desirable. The way in which this might be achieved has surfaced in current debates about the future of scientific and scholarly journals and has been concerned with who pays for the costs of journals and how. David Willetts' announcement of free access to all publicly funded research findings (Guardian 2 May 2012), Jimmy Wales' appointment as advisor and Dame Janet Finch's working group set up to advise on Open Access, all reflect the importance of this issue. Nevertheless, we have a real concern that the process of opening up academic publication may exclude some key interests as a result of the methods used to achieve it.

As the Guardian editorial of 11 April pointed out, the present academic publishing system obstructs the free communication of research findings. Through the erection of "endless pay walls" against open access by commercial publishers, researchers can be prevented from downloading research papers unless they pay substantial publisher fees. Libraries similarly pay substantial amounts (up to £1 million or more per annum) to give their readers access to on-line journals.

Our concern lies with the major proposed alternative to the current system. Under this alternative arrangement, authors are expected to pay for submitting papers for publication in on-line journals, the so called "article processing cost" (APC). Such a fee can amount to anything between £1,000 and £2,000 per article depending on the reputation of the journal. Although such fees may sometimes be waived, eligibility for exemption is decided by the publisher and such concessions have no permanent status and can always be withdrawn or modified.

The APC approach is increasingly favoured by funding bodies, such as the Wellcome Foundation (Guardian, 10–04). These funding bodies make provision in academic research grants to pay for publication charges for the research they fund.

A major problem with this APC model is that it effectively shifts the costs of academic publishing from the reader to the author and therefore discriminates against those without access to the sources of funds needed to meet these costs. Among those excluded are academics in, for example, the humanities and the social sciences whose research funding typically does not include publication charges, and also independent researchers whose only means of paying the APC is from their own pockets. Academics in developing countries particularly face discrimination because of their often very limited access to research funds.

Not only is APC discriminatory, but within a finite research funding budget its costs are likely to be met from funds otherwise available for the research itself, thereby potentially penalising the whole research community.

But there is another approach that could be implemented for a fraction of the cost of commercial publishers' current journal subscriptions. "Access For All" (AFA) journals that charge neither author nor reader, are committed to meeting publishing costs in other ways. We ourselves have been involved with the funding of a journal, Longitudinal and Life Course Studies (LLCS), which is free for authors and readers, and was initially established with the support of a three year development grant from the Nuffield Foundation.

The continuation costs for an AFA journal include copy-editing, lay-out, editorial meetings and journal management, including the peer review process, together with website hosting charges and publishing software support. For LLCS these amount annually to about £15,000 for three issues and are met with the help of the Society for Longitudinal and Lifecourse Studies, independent research centres and a nominal readership registration fee.

How can AFA be encouraged? We propose that university libraries set aside some of their journal acquisition funds, currently paid to commercial publishers through bulk arrangements, in the form of grant aid to support new or existing AFA journals. Allocations would take account of the many years it can take to build the readership and submissions base on which the journals reputation and future viability will depend. Governance details would need to be decided and ideally would involve library consortia, universities, learned societies and research funders.

What we need is some clear thinking about how on-line publishing should develop. In particular we strongly urge the Finch committee to give serious attention to the alternative AFA strategy for journal funding and for David Willetts to adopt it within his vision for Open Access

We are not advocating a sudden major shift to this form of publication, rather a funding regime that would encourage its growth and explore how it might best be managed. In line with the Guardian editorial, such a publication model would not only be cost efficient, but we believe that within the academic community it would find greater acceptance as a legitimate return on the editorial and refereeing resources that are currently provided for free.

John Bynner

Emeritus Professor of Social Sciences in Education
Institute of Education

Harvey Goldstein

Professor of Social Statistics
University of Bristol

22 January 2013

Written evidence submitted by Cancer Research UK

Cancer Research UK is leading the world in finding new ways to prevent, control and cure all cancers. We are the largest independent funder dedicated to cancer research in the world. In 2011–12 we spent £332 million on research, supporting the work of more than 4,000 scientists, doctors and nurses. Our research is funded entirely by donations from the public.

EXECUTIVE SUMMARY

- Cancer Research UK supports the goals of open access (OA) as we believe that making the results of research widely and freely available can only benefit the research effort and the economy.
- Whilst Cancer Research UK supports the aims of open access we need to balance this with the responsibility to ensure that as much of our income as possible is dedicated to bringing forward the day when all cancers are cured.
- We do not think that meeting the costs of open access fits with core charitable objectives, and therefore believe that these costs should not be covered by fundraising charities.
- We would therefore support the cost of author processing charges (APCs) being covered by the existing funding mechanisms that charitable awards in universities already attract.

- Whilst Cancer Research UK recognises the benefits that an OA publishing model could deliver, we have some concerns over the management of and responsibility for costs arising from the shift to OA publishing. We also have some questions about the likelihood and speed of transition in the rest of the world.
- We recognise that making publications available immediately through the payment of APCs is the route that will deliver the greatest benefit.
- We understand that by adopting a position of leadership in this area, the UK is likely to incur increased costs during the transition period towards OA. We would welcome additional information on how BIS and Research Councils UK (RC-UK) are proposing to monitor and limit the increased costs during this time.
- We would also be interested to learn how BIS and RC-UK intend to ensure that in the longer term the rates for APCs are sustainable.

RESPONSE TO INQUIRY

Cancer Research UK supports open access. As thoroughly explored in the Finch report, we understand that making the results of research widely and freely available will support innovation and, ultimately, will enhance the economy²²

As part of our support for OA, we have a policy that requires a full text version of all papers resulting from our research to be available in Europe PubMed Central (E-PMC) within six months of publication.

We also own the British Journal of Cancer and we have ensured that the journal offers both gold and green routes to open access.

Open access publishing is clearly an important part of the future for scholarly communication and in coming years we wish to see it become the norm in biomedical science. Whilst we support this movement, we have some concerns about the transition, in particular with respect to the associated costs.

1. GREEN VERSUS GOLD OPEN ACCESS MODELS

At present Cancer Research UK encourages its researchers to publish through the green route where possible, with an embargo of up to six months. Whilst we recognise the additional benefits that gold OA might bring, we recommend green largely to limit the additional costs to the charity. We accept this compromise as we lack evidence to demonstrate that the benefit of immediate versus embargoed open access is worth the potential additional cost.

2. CONCERNS ABOUT COST

We are concerned about the potential costs associated with the gold open access model on several fronts.

a. *APCs would be new and considerable cost to the Charity, which will not be off-set by reduction in subscriptions*

The Finch Report²³ indicated that author processing charges (APCs) should now be considered part of the direct costs of research and, as such, should be borne by research funders (it should be noted that fundraising charities were not represented on the Finch Committee).

Cancer Research UK researchers publish around 2,000 papers every year. Using the same cost assumptions as the Finch Report, we estimate that if we assume paying for APCs this would increase costs to the charity by £2.6 million a year. For government funding it is predicted that the increase in APCs would be offset by a decrease in the cost of subscriptions, but for charities this is a completely new and somewhat unexpected cost.

b. *Should fundraising charities cover the cost of APCs?*

Whilst Cancer Research UK supports the aims of open access we need to balance this with the responsibility to ensure that as much of our income as possible is dedicated to bringing forward the day when all cancers are cured. We do not think that meeting the costs of open access fits with core charitable objectives, and therefore believe that these costs should not be covered by fundraising charities.

Charitable funding in the university sector already attracts QR funding (or the equivalent provisions in devolved nations). In the 2008 RAE, all universities that submitted in the cancer studies unit of assessment submitted research groups funded by charities. UK based charities accounted for over 60% of the further funding reported—a total of almost £600 million. Further funding was one of the considerations used to calculate how much QR funding each university received.

²² <http://www.researchinfonet.org/publish/finch/>

²³ <http://www.researchinfonet.org/publish/finch/>

Given that charitable funding already attracts QR, and given that charities will not benefit from any decrease in the cost of subscriptions, we would support a move towards the cost of APCs being covered by the existing funding mechanisms that charitable awards in universities already attract.

c. Increased costs during the transition period

The UK government has taken a global lead on OA and as a result we are at the forefront of a transition from the current predominantly subscription based publishing model to a model where available revenue will come mainly from APCs. Whilst in the long run the OA model may decrease the overall costs of scholarly publishing, there will undoubtedly be an increase in costs during the transition period as most publishers will receive both subscriptions and APCs.

We would welcome more information on how Research Councils UK intends to monitor how the block grants are being used and how they intend to negotiate lower subscriptions from publishers to help minimise the transition costs.

d. Achieving a sustainable rate for APCs

The costs of academic publishing are not transparent and researchers are generally price insensitive when considering where to publish—they will publish in the journal they perceive to be held in highest esteem by their colleagues and funders regardless of cost. In a fully open access publishing model, costs will be transparent and it is assumed that researchers will consider cost when publishing. If researchers remain price insensitive there is a risk that the average APCs will be too high to be sustainable and overall costs in the system will increase.

We would welcome more information on what approaches BIS and RC-UK are planning to adopt to help ensure that price becomes a factor when academics are deciding where to publish.

3. THE INTERNATIONAL CONTEXT

The UK has taken a substantial lead on promoting and facilitating open access and there are some signs that other countries are following suit. However, there remains a risk that the UK will pay APCs to make the results of UK research available openly and will need to continue to pay subscriptions to get timely access to research results from the rest of the world.

In biomedical sciences due to the volume and quality of their output, the policy at the US National Institutes of Health (NIH) will be a major factor in determining if and when there is an overall move towards an open access publishing model. NIH has an open access policy which they now enforce through sanctions. However, they have a twelve month embargo period and have expressed no preference for gold.

We would welcome additional information on how BIS and Research Councils UK are working towards encouraging the switch to gold OA in the rest of the world.

4. RIGHTS OF USE AND REUSE

OA Research will only deliver maximum benefit if the results are not only available to read, but also available to use and reuse. Currently, the most predominant publishing licences restrict the reuse of publications. For example, Europe PubMed Central currently has 1.7 million articles available as full text open access, however only 0.5 million of these articles have the appropriate licences that allow them to be text mined. The remaining 1.2 million articles cannot be mined due to the licensing restrictions enforced by various publishers.

Research Councils UK and the Wellcome Trust have mandated the CC-BY licence, where publications can be used and re-used freely, even for commercial purposes. Cancer Research UK does not currently require publications resulting from our funding to be published under CC-BY. Whilst we recognise that this is a key part in deriving economic and other benefits from OA, we feel that there should be more consultation with the research community on this matter and that currently there is not enough understanding of the issue to enable a reasonable debate.

14 February 2013

Written evidence submitted by Peter Carroll

For some time I have been working on setting up a current awareness service for research and innovation being carried out in the UK. This would be a commercial activity. Hopefully, from October 2013 with the implementation of a wider copyright exception for quotation, accepted by the Government as a result of the Hargreaves Inquiry, I will be able to launch this service. I intend to use information published in job adverts for research posts as an indicator that a research project is becoming active. From the information in adverts on Principal Investigators, Organisations and Project scope I can go “upstream” to grant information (via the recently set up RCUK Gateway to Research portal) and “downstream” to research outcomes such as published papers. This is the background to my interest in open access policy.

SUMMARY OF SUBMISSION:

The Government's acceptance of the recommendations of the Finch Group Report "Accessibility, sustainability, excellence: how to expand access to research publications", including its preference for the "gold" over the "green" open access model;

Green OA via deposit in repositories provides limited open access to full text papers. Sampling of the University of Southampton repository shows about 20% OA availability (Table 1). Stronger mandates for deposit raise deposition rates but the OA availability of full text papers remains below 50% (Table 2: University of Liege). Mandated green OA can be effective for dissemination of information between researchers in a discipline ("pull model") but does not address wider dissemination across disciplines and to the public ("push model").

Rights of use and re-use in relation to open access research publications, including the implications of Creative Commons "CC-BY" licences;

For the widest and fastest dissemination of research information, commercial re-use and transformation must be allowed. The RCUK approach of applying OGL licences "upstream" to information in grants databases and CC-BY licences "downstream" to research outcomes in published papers is to be applauded. There is an anomaly in between—the research outcomes published as "translate and engage" information on the departmental research pages of university websites remain, in effect, all copyrights reserved. For this publicly funded information no commercial re-use is possible without express permission.

1. *The Government's acceptance of the recommendations of the Finch Group Report.*

1.1 I am aware that some people feel that the Finch report deprecates "low cost" green OA via Institutional Repositories (IR) in favour of (to paraphrase Bevan) stuffing the publishers mouths with gold.

However, the Finch report is right—deposition rate in IR is disappointing and access to the full text of publications is low. For this submission I have sampled the IR for the University of Southampton (<http://eprints.soton.ac.uk/>) for articles published in 2011 (to allow at least a year for expiry of embargo periods). 300 articles were checked for each of four faculties. Entries were checked for:

- (a) Item not available- only metadata held in the IR.
- (b) Item availability restricted- full text deposited but only available on request by clicking request button.
- (c) Full text downloadable from IR.

Table 1

<i>Faculty</i>	<i>Item Not Available %</i>	<i>Availability Restricted%</i>	<i>Full text available %</i>
Physical & Applied Sciences	32	15	53
Medicine	94.3	2.7	3
Natural & Environmental Sciences	81.7	11	7.3
Engineering & Environment	64	18.7	17.3

Across 1200 research articles published in 2011 and registered with Southampton's IR the full text for only 20% was directly accessible from outside the university. Full text for a further 12% could be supplied on request, the so called "almost OA" option.

1.2 Could the situation for green OA via archiving in IRs be improved? Proponents of green OA point to the success of institutional mandates in raising the deposition rate. The University of Liege model is often cited [1] where promotion depends on researchers depositing the full text of their papers in the university IR ORBI (<http://orbi.ulg.ac.be/>). A recent paper by Gargouri et al [2] claims:

"The conclusion is that, contrary to the Finch Hypothesis, Green Open Access Mandates do have a major effect, and the stronger the mandate, the stronger the effect (the Liege ID/OA mandate, linked to research performance evaluation, being the strongest mandate model)."

However, a sampling of ORBI for accessibility/availability of full text articles published in scientific journals in 2011 gives the following results.

Table 2

<i>Division</i>	<i>Sample size</i>	<i>Full text deposited</i>	<i>Restricted Access on request</i>	<i>Full text available as download</i>
Engineering Computing Technology	100	100	61	39
Physical Chemical Maths & Earth Sciences	100	100	43	57
Life Sciences	100	100	57	43
Human Health Sciences	100	100	47	53

Whilst the deposition of full text papers as distinct from just metadata has increased to 100% the accessibility of full text papers to the general public and businesses via download from outside the university site is just under half, at 48%, across the four divisions. Just over half remain “almost OA”, dependent on the willingness of individual researchers to authorise email dispatch of a reprint. Example terms and conditions for receiving a reprint are given in: http://orbi.ulg.ac.be/request-copy/2268/110880/121483/Klareskog_Clin%20Exp%20Rheumatol_2011_29.pdf

Commercial re-use is explicitly forbidden.

The practice of researcher emailing researcher with copies of papers is widespread and appears to be tolerated by publishers, but its legality under copyright law is unclear. Whether wider access would be granted, without opposition from publishers, to the general public or innovative SMEs requesting reprints is not known as yet.

1.3 There is no doubt that Green OA effectively mandated could be a low cost way to improve dissemination of scientific knowledge between researchers. This is obviously very important, particularly with regard to exchange of knowledge with researchers in developing countries. For this reason alone its development as proposed by the Finch report should be supported.

1.4 For me the green OA model of IR deposit has an intrinsic flaw. It works on a “pull” model of information dissemination where a researcher already knows, more or less, what to look for and where to look. This works well within a particular scientific discipline but can have problems where developments in one area have impacts in others. Perhaps a good example would be “quantum dots” which started as a research area in basic physics but now have wide applications in diagnostic medicine and the latest display technologies. Given the imagination, curiosity and social networks of researchers this diffusion across disciplines will probably occur sooner or later. This is the existing informal “push” model by which research is translated and engages a wider audience. However, to maximise and speed exchange across disciplines, and outwards into the economy, a push publishing model is also needed to actively disseminate this “translate and engage” research information. For this to happen there must be an commercial incentive. Which means that commercial re-use and transformation of research information must be allowed. Only the gold OA model linked to CC-BY provides this.

2. Rights of use and re-use

2.1 Mark Thorley of RCUK expresses the arguments around use and re-use, concisely and clearly, in his blog post on “RCUK Open Access Policy—Our Preference for Gold” [3].

“The first of our four key principles is that the ideas and knowledge derived from publicly-funded research must be made available and accessible for public use, interrogation and scrutiny, as widely, rapidly and effectively as practicable. It is this principle which is at the heart of our preference for Gold. The scope of this principle is around ‘public use’, which covers many more potential users than just those within the research community...

For us “use” means much more than just being able to read research papers—it means having the ability to re-use and exploit research papers in the widest possible sense—be that text and data mining to advance new areas of research, to re-presenting collections of research papers in particular areas, to mashing together elements of research papers with other information to create new information products. With maximal openness and accessibility, comes maximal opportunity to exploit, and thus maximal opportunity for innovation. And from innovation comes growth, and benefit to the UK as a whole. Gold delivers this maximal openness and opportunity for innovation through the CC-BY licence which we require where we pay an APC.”

I could not agree more.

2.2 This RCUK approach does not just apply to research papers. In December 2012 RCUK launched the beta phase of their Gateway to Research portal which provides information from the grants databases of the 7 research councils. [4] The information accessed through Gateway to Research is being released under Open Government Licence terms, equivalent to the Creative Commons CC-BY licence.[5]

2.3 Whilst considering use and re-use of information arising from publicly funded research could I just close by pointing out something that is anomalous. Upstream at the funding end there is a commitment to OGL licensing and downstream at the research outcomes end there is a commitment to CC-BY licensing of research

papers. In between there is a lot of information of the “translate and engage type” held on the departmental research pages of university websites. All created by researchers publicly funded via RCUK and HEFCE. For all of these websites that I have ever looked at, the copyright applied in the website use terms & conditions is basically all rights reserved. In theory an innovative SME coming from Gateway to Research to a research page on a university website to find out more would need their express permission in writing to make a copy of the page, maybe even to read it in the first place! I realise that this is outside the scope of the enquiry but as time goes by this exemption of the research pages on university websites from CC-BY licensing will stick out like a sore thumb.

7 February 2013

LINKS TO FULL REFERENCES

[1] <http://openaccess.eprints.org/index.php?/archives/853-The-Liege-ORBi-model-Mandatory-policy-without-rights-retention-but-linked-to-assessment-procedures.html>

[2] <http://eprints.soton.ac.uk/344687/>

[3] <http://blogs.rcuk.ac.uk/2012/10/24/rcuk-open-access-policy-our-preference-for-gold/#comment-8833>

[4] <http://www.rcuk.ac.uk/research/Pages/gtr.aspx>

[5] <http://gtr.rcuk.ac.uk/resources/licence.html>

Written evidence submitted by The Chartered Institute of Library and Information Professionals (CILIP)

1. The Chartered Institute of Library and Information Professionals (CILIP) welcomes the opportunity to respond to the BIS Committee Inquiry into the implementation of the Government’s Open Access Policy.

2. CILIP is established by Royal Charter and is the professional body for library and information professionals in the UK. It has around 15,000 members working in all parts of the UK economy.

3. We support, as a matter of principle, measures to improve people’s access to information. Many of our members have been leaders in advocating and implementing open access models, recognising the huge public benefits that come from the wider dissemination of research outputs. Equitable access to the latest research democratises knowledge, stimulates innovation and economic growth, increases research productivity and facilitates rapid knowledge transfer.

THE IMPLICATIONS OF THE GOVERNMENT’S PREFERENCE FOR THE “GOLD” OVER THE “GREEN” OPEN ACCESS MODEL

4. We are broadly supportive of the direction of travel on open access following the publication of the Finch report and the response from the UK Government. We welcome the recommendations on extending and rationalising current licences to cover all the institutions in the HE and health sectors, the development of policies minimizing restrictions on the rights of use and re-use of open access content, especially for non-commercial purposes, and the proposal for walk-in access to the majority of journals to be provided in public libraries across the UK. Access in public libraries is important because it will encourage and enable the widest community of citizens to pursue critical personal interests in depth; it will support active citizenship and an entrepreneurial culture for social and economic benefit.

5. CILIP is committed to championing the importance of information literacy as a key public good.²⁴ We firmly believe that a workforce that is literate in the creation, management and re-use of information is a future-facing workforce that can identify innovative ideas in our knowledge assets and turn them into value. Library and information professionals are trusted enablers of information literacy, facilitating access to information and ensuring that a system is in place to allow qualitative distinctions to be made around the authority and credibility of that information. They will strive to do this whatever medium or business model is involved, so CILIP is keen to look beyond discussions of the merits of “gold” versus “green” to more fundamental issues such as the skillsets our members need to ensure that they can continue to effectively perform this role in the future.²⁵

6. However, making research outputs more widely accessible should not disadvantage the producers of research, be they individuals or research-intensive universities, so we do have some concerns about the implications of the gold model recommended by Finch and supported by the government. These are briefly set out below.

²⁴ CILIP’s definition of Information Literacy: “Information literacy is knowing when and why you need information, where to find it, and how to evaluate, use and communicate it in an ethical manner”. See <http://www.cilip.org.uk/get-involved/advocacy/information-literacy/Pages/definition.aspx>

²⁵ For a discussion of the support and skills required for librarians in the open access environment, see: Harris, S, 2012. *Moving towards an open access future: the role of academic libraries*. Sage. <http://www.uk.sagepub.com/repository/binaries/pdf/Library-OARreport.pdf>

7. **The applicability of gold open access to the humanities and social sciences:** Unlike the natural sciences, humanities and social science research is often undertaken without any dedicated funding from external sources, so academics working in these disciplines will find it very difficult to find funds for the publication of their research in gold open access journals.

8. CILIP has members managing humanities and social science collections, fields in which monographs and edited volumes are the preferred formats for disseminating research findings. The Finch report acknowledges that “the difficulties now faced by authors and publishers in developing a secure future for monographs is a matter of concern” (p45). We recommend, as a first step to addressing these concerns, an appraisal of the applicability of open access publishing to these media.

9. **The impact on lifelong learning and research:** Lifelong learning can also embrace lifelong research. Academic librarians recognise this by endeavouring to open up their collections to the public. CILIP is concerned that the gold model will have a negative effect on the ability to conduct research outside of an academic institution, as finding resources to pay Article Processing Charges (APCs) will be an insurmountable barrier to publication for many researchers not affiliated with a university. We propose that policies and arrangements for supporting publication by independent scholars are established, as was recommended in the Finch report.

10. **The impact on research intensive universities:** Many of our members are based in research-intensive universities and we share their concerns about the extent of the financial and practical challenges that the gold model will present these institutions with. While the UK government’s allocation of £10 million to universities to cover part of the transition to gold is welcome, there remains a great deal of uncertainty over costs and we emphasise the need to closely monitor the impact of the transition to ensure it is cost-effective for all institutions.

11. **The impact on library budgets:** The average cost of journal subscriptions has been rising at a rate far above inflation for decades, while budgets at academic libraries have remained fairly static. Figures from JISC estimate that UK university libraries spend around £110 million on their journal subscriptions, with subscriptions to the large journal collections accounting for up to 80% of a library’s journals budget.²⁶ This is unsustainable and has been a major driver in the open access movement.

12. Moves towards open access are likely to reduce library subscription budgets, but this has to be carefully managed. The availability of funding for publications on a gold access basis is very limited, so libraries will have to pay journal subscriptions for the foreseeable future if acceptable levels of access are to be maintained.

13. Academic libraries are well-placed to manage gold open access budgets and to advise researchers about gold open access publishing. We hope that a reasonable balance in the business model is attained so that the level of APCs is controlled. We propose that spending on APCs is matched by decreases in the subscription charges that UK libraries have to pay.

14. **Support for Institutional Repositories:** Institutional repositories are often created and managed by the library and CILIP welcomes the recognition given in the Finch report to the valuable role they play in complementing formal publishing by providing access to research data and grey literature and in digital preservation.

15. As recognised by Finch, the research communications ecosystem is complex and for the foreseeable future no single mechanism will suffice to adequately and equitably expand access to knowledge. CILIP acknowledges that the underpinnings for the economic model that has supported the publication of scholarly research for the past 350 years have gone and that there is no simple answer as to what should replace it. We can see merit in hybrid solutions and support a mixed approach that enables repositories to continue to be an important part of the scholarly communications process.

7 February 2013

**Written evidence submitted jointly by The Classical Association
The Institute of Classical Studies, University of London
The Society for the Promotion of Hellenic Studies
The Society for the Promotion of Roman Studies**

1. SUMMARY

1.1. As the publishers of most of the major UK journals in the field of Classics, Ancient History and Archaeology, which attract international contributors and are read and admired throughout the world, we submit that in our field the subscription model of journal publication delivers high quality publications at a modest cost, heavily subsidised by the contributions and freely given time of academic colleagues and members of our learned societies.

²⁶ Taken from: JISC, 2010. *The value of UK HEIs contribution to the publishing process*
<http://www.jisc-collections.ac.uk/News/Value-of-HEIs-to-publishing/>

1.2. We support the principle of Open Access to research—as distinct from dissemination of research outcomes to the public (which we also support). However, we believe Open Access in HSS subjects will be achieved most effectively, with least extra cost and disruption, by a Green model of publication, such as we already use. The Gold model would make it impossible to run subscription journals, and thus undermine the structures which allow us to provide and finance major public benefits which include the Combined Library of the ICS and Hellenic and Roman Societies and the annual Classical Association Conference, both of which serve academics and interested members of the public in the UK and abroad.

1.3. We focus here on our particular concern for the quality and sustainability of our journals and the resources we provide to the public. However we share the wider concerns in Arts and Humanities on issues such as the problems of financing for authors and institutions implicit in the Gold system, and we endorse in particular the submission of the Royal Historical Society on these and related points.

2. WHAT WE DO

2.1. The Classical Association (c. 2,300 members), Society for the Promotion of Hellenic Studies (c. 1,500 members) and Society for the Promotion of Roman Studies (c. 2,000 members) are learned societies with charitable status. Together with the Institute of Classical Studies we publish the following annual journals (in addition to occasional monographs):

Britannia
Bulletin of the Institute of Classical Studies
Classical Quarterly
Classical Review
Greece & Rome
Journal of Hellenic Studies, plus Archaeological Reports
Journal of Roman Studies

2.2. The journals of the CA, SPHS and SPRS are subscription journals. The journals attract members, whose membership subscriptions make a vital contribution to the finances that enable the Classical Association to mount its annual Classics Conference, the largest in the UK, which attracts participants from universities, schools and the general public, including many from overseas, and is one of the principal stages for public dissemination of UK research in our field. The CA, two Societies and ICS also promote interest and research in the Graeco-Roman world through meetings, lectures, online resources and grants mainly targeted at younger scholars and schools. The two Societies and the ICS jointly maintain one of the two world-class Classics libraries in the UK (see 4. below).

2.3. Subscriptions to the *Bulletin of the Institute of Classical Studies*, along with its series of Supplements, come from institutions, especially libraries, the majority of which are abroad. The profits from these publications support the activities of the Institute in providing a national focus for research in Classics, while the *Bulletin* makes the lectures, seminars and conferences of the Institute available worldwide.

3. THE AVANTAGES OF SUBSCRIPTION JOURNALS

3.1. We do wish to make the results of research and of general intellectual creativity in our field as widely available as possible—that is one of the principal aims for which we were founded. However, we do not believe that in our subject area Gold Open Access is the best way of achieving this, or that, when the whole pattern of our activities is considered, above all in an international context, the subscription model for learned journals is in itself flawed or unsatisfactory. The problem lies rather in the pricing policy of a small number of publishers, who have (principally in the sciences) established a near-monopolistic position; we also note that the Finch Report appears to propose transferring the payments which generate these publishing profits from the readers and their institutions to the authors and their institutions, which is not a real solution.

3.2. Standard members of the Hellenic and Roman Societies currently pay subscriptions of £46 a year, including one journal, which in real terms is about half of what they would have paid a century ago when the Societies were founded; the annual CA subscription including one journal is £52 or £59 (depending on the journal chosen). The Roman Society charges £25 for online only subscription. Members receive access to an online archive of all back issues of journals. We aim to make a modest profit not for its own sake, but because we use our members' subscriptions, and their time freely given, to create a variety of public goods. High quality publication, including electronic, is expensive; one of the major costs, hidden and easily forgotten, comprises the time and effort involved in organising and undertaking peer reviewing, and in the Arts and Humanities this is mostly undertaken without financial reward, out of loyalty to our societies and the discipline.

3.3. Our journals also provide a crucial service to research by publishing some 100 reviews a year; indeed the *Classical Review* publishes only reviews, some 300 a year, and thus provides an authoritative survey of new scholarship across the field. APCs for these reviews would be an administrative nightmare.

3.4. We, like most learned societies, already operate forms of Green Open Access, after an embargo period of 36 months, which forms only a tiny percentage of the period over which important papers will be read. Authors are allowed to post their own papers on their institutional web-site immediately. In our view this system, in addition to the modest costs of our journals and their availability for public consultation, already

provides a satisfactorily high level of Open Access while enabling us to sustain publication of our journals to world-class standards of intellectual content and presentation, and from the subscription income, journal exchanges and review copies of monographs to provide other public benefits of enormous value.

4. THE INTERNATIONAL CONTEXT

4.1. In terms of content, around half the articles on average in issues of *Greece & Rome*, the *Journal of Hellenic Studies* and *Journal of Roman Studies* are by authors who are in foreign HEIs. To impose a system of APCs would lead to a drying up of the top quality contributions from foreign scholars which are vital to the international standing of our journals, which in turn supports the international standing of the academic study of Classics in the UK. We do not believe that a hybrid Green/Gold system would be fair to UK scholars, and fear that it would create financial uncertainty and risk which would imperil the sustainability of our journals.

4.2. We also note that in terms of institutional diffusion, the distribution of the *Journal of Hellenic Studies* and *Journal of Roman Studies* is about 10% to the UK, and 90% to the rest of the world; even in the case of *Britannia*, the split is 40% to the UK, 60% abroad.

5. LIBRARY AND JOURNAL EXCHANGES

5.1. In the case of the journals of the two Societies, as well as the *Bulletin of the Institute of Classical Studies*, the existence of a subscription plus exchange system has enabled the creation of a major public good from private support, that is the Combined Library in the Institute of Classical Studies, University of London, which is open for consultation by all *bona fide* researchers, including members of the general public, who also have access to the expert advice of the library staff, who all have classical degrees. This Library is one of only two fully comprehensive research libraries in the UK for Graeco-Roman antiquity, and one of a handful in the world. Furthermore, it is the only major Classics research library that actively recruits and supports non-academic users.

5.2. The journals we publish directly subsidise accessions to this library both through exchanges with foreign journals and the free acquisition of copies sent by publishers for review (reviewers forego their normal right to the book). The vast majority of exchanges are with non-UK journals, many of them crucial to the field. Out of some 700 titles taken, around 450 are acquired by exchange. The loss of the exchange model would create a requirement for over £250,000 additional annual funding, which neither the Societies nor the Institute of Classical Studies can afford.

Professor C Carey, President, Society for the Promotion of Hellenic Studies

Professor JA North, Director, Institute of Classical Studies

Professor DW Rathbone, President, Society for the Promotion of Roman Studies

Professor JHD Scourfield, Chair of Council, Classical Association

7 February 2013

Written evidence submitted by the Council for College and University English and the English Association

SUMMARY

The discipline of English in the UK has a strong track record of working to disseminate its research to the widest possible audience and supports the aims of open access advocated in the Finch Report. However, we believe that the gold model currently favoured by RCUK does not provide the best means of achieving these aims in our discipline. An insistence on gold access would threaten the quality and sustainability of our thriving research culture, whereas a green or hybrid model would enable us to maintain broad-based research communities and dissemination opportunities whilst safeguarding the future of the discipline. We recommend that the green model is given unequivocal backing alongside gold and that greater attention is given to mechanisms for making it work effectively. These include the development of an integrated range of platforms for accessing research, including university repositories and public libraries.

INTRODUCTION

1. This joint submission by the two main UK subject associations in English highlights distinctive features of academic publishing in this field and explains why most researchers believe the green model offers the best way of meeting the objectives of open access whilst preserving the quality and range of journal publication in the discipline.

2. We call for stronger and more consistent support from HEFCE and RCUK for the green model, and highlight some practical considerations regarding the implementation of both the green and gold models.

3. We also comment on the position of learned societies in our field, some of which rely on income from journal subscriptions to support their research activities. To illustrate the points made, we attach three case studies of representative English journals, two of which are linked to learned societies or subject associations. The case studies were commissioned by CCUE and the EA for this purpose, and written by the editors concerned. The differences between them illustrate the different perceptions of open access policy and the variety of strategies proposed. We ask that this diversity of approach be encouraged rather than a single prescriptive model being enforced.

4. Finally, we draw attention to the vulnerability of postgraduates and early career researchers under a policy that currently favours the gold over the green model. We do so by including as a fourth appendix a letter from representatives of these groups which expresses their concerns and calls for various actions from government and research councils.

THE PUBLISHING CONTEXT

5. Research publication in English is distinctive in a number of ways. Journals account for only 31% of outputs, the other 69% being made up of books (39%), book chapters (27%) and others (3%) (figures based on RAE2008 submissions). Most outputs are single-authored. A significant proportion of these are by authors without access to APC funding, namely retired staff, authors from outside academic institutions, and postgraduates. Many journals have mixed content, publishing, for example, creative writing alongside academic research, and, usually, a substantial number of reviews which are essential to the health of the field, but which would, presumably, not be funded under APC arrangements.

6. It was acknowledged by Martin Hall at the Westminster Forum meeting on 5 February that the Finch Report had not given enough attention to monographs or fully considered the implications of the green model for the arts and humanities. We call upon the government and RCUK now to give proper attention to these matters and to incorporate into their thinking the radical differences between the publication profiles of different disciplines.

7. Journal subscriptions in English are much less expensive than in most science disciplines. Individual subscriptions are affordable and make up a significant proportion of the lists of many journals. Individual subscriptions are seen not just as a source of revenue but as a way of fostering broad-based research communities.

8. These factors help to explain why most journals in English favour the green (or hybrid) model of open access. This model will help to preserve diversity and enable journals to continue publishing work from different categories of author on equal terms and with regard to quality alone.

9. The publishers we consulted in preparing this submission also envisage that the majority of journals in English will achieve open access compliance via the green or hybrid routes.

EMBARGO PERIODS

10. We welcome the flexibility advocated by the Finch Report over the length of embargo periods and note that RCUK, while setting a norm of 6–12 months, recognises that in some instances longer periods are permissible. We ask that this flexibility be preserved and be made more explicit, and suggest that embargo periods of up to 24 months be considered viable.

11. As illustrated by the case studies, journals in English currently operate with a variety of embargo periods. They should be free to do this. It is important that journals are allowed to respond to the changing context and find appropriate models to ensure both sustainability and quality.

12. Authors will take into account embargo periods in choosing where to place their articles and may favour journals with shorter embargo periods since their work will be universally available sooner. The market will therefore exert its own pressure towards shorter embargo periods, which is the government's objective.

INSTITUTIONAL REPOSITORIES

13. Effective institutional repositories are an integral part of the green model and careful attention needs to be given to making them fit for purpose. Repositories need to be easily accessible, fully searchable and properly cross-referenced. Ideally, a consistent platform across HEIs is needed. This will require investment in infrastructure, which could be provided across the sector by JISC or some other consortium.

14. The growth of institutional repositories is also an opportunity to improve access to unpublished PhDs and other archived research. HEIs should be encouraged to seize this opportunity and funds made available to support it.

15. The role of public libraries as outlets for publically-funded research needs further discussion, since this is another form of open access. Some English journals have a general readership and are widely available in public libraries. This should be taken into account in assessing open access compliance.

16. Online access to academic journals via public libraries could be greatly extended if resources were pooled and subscription costs shared. This would provide another form of open access (in addition to

institutional repositories) during embargo periods. If business models permitted it, another more radical option would be for journals to consider gifting online subscriptions to public libraries to ensure open access compliance.

17. This would also have the secondary benefit of increasing usage of public libraries at a time when many are threatened with closure.

LEARNED SOCIETIES

18. Many learned societies use the revenue from journals to support other activities including conferences, bursaries, fellowships and prizes. This is entirely appropriate, and some of these activities themselves advance the open access agenda (broadly defined) by making research publicly available. Bursaries, for example, are typically offered to non-salaried researchers (postgraduates and independent scholars) who might not otherwise be able to attend conferences or travel to research libraries and archives. More generally, many learned societies in English are a vital point of contact between the academic community and the literary and intellectual world at large.

19. For these reasons most learned societies with associated journals favour the green or hybrid models. The relationship between learned societies and academic journals needs to be respected not undermined. Successful learned societies able to attract members and generate revenue from journals should be allowed to do so.

ARTICLE PROCESSING CHARGES

20. Clarification is needed as to how APCs processing charges will work, and greater efforts should be made to explain this to the research community. Unanswered questions include: how will RCUK's willingness to fund APCs influence the publishing market? How will acceptable APC levels be set and monitored as the market adjusts to the new publishing environment? How will postdoctoral researchers and independent scholars be affected?

21. We share the concern expressed by many others about how funds for APCs will be allocated within institutions. The incursion of administrative and managerial judgments into academic areas could curtail intellectual freedoms and lead to discrimination, especially against junior members of staff. We recommend that HEFCE draw up a code of practice and monitor compliance.

22. We share, too, the concerns of other groups that a gold policy which requires UK scholars to publish in OA-compliant journals would prevent them from placing their work in leading overseas journals which do not offer gold OA. Conversely, gold OA discourages scholars outside the UK from publishing in UK journals which charge APCs. This will reduce the stature and influence of UK journals. Scholars from developing countries will be particularly affected by this.

23. We note that many countries around the world are pursuing open access policies, and that in most cases green- and gold-type routes are being favoured equally. This is true of almost all the countries which are most active in the field of English. The pursuit of a gold-only policy in this country would put UK scholars and journals at a disadvantage and damage moves towards internationalisation in publishing in our discipline.

24. Our fourth appendix expresses the particular anxiety of postgraduates and staff on temporary contracts who feel their prospects may be affected by a system which excludes them from access to APC funding or puts them at the mercy of institutions who may not want to invest in their future.

CREATIVE COMMONS LICENCES

25. Clarification is needed about the licensing regime, in particular the relation between CC-BY-ND and copyright protection. This is particularly relevant to creative writing published in a research context, and to academic writing that cites copyrighted creative material.

CONSULTATION

26. The speed with which Open Access has been pressed by BIS has contributed greatly to the anxiety about open access in the academic community. The government should take steps to ensure the fullest range of consultation during the transition period and provide clear census points to permit scholarly associations further opportunities to represent their subject areas.

27. We understand that HEFCE is considering making OA compliance a criterion for inclusion of outputs in future REF exercises. We ask for a detailed review involving representatives of arts and humanities disciplines before any decision is taken, as the large differences in publication patterns between disciplines, and the

disparate nature of outputs within English alone, mean that any single model could have severe unintended consequences.

Professor David Duff
Chair, Council for College and University English

Professor Martin Halliwell
English Association, Chair of the Higher Education Committee

7 February 2013

Case study 1: *Renaissance Studies* and the Society for Renaissance Studies

THE JOURNAL

Renaissance Studies is an international, interdisciplinary journal, based in the UK published by Wiley-Blackwell. We publish scholarly essays, book reviews and exhibition reviews. The journal has a large, multi-disciplinary and international editorial board, and we draw upon this and many more expert reviewers from around the world. The review process is rigorous: essays are reviewed anonymously by 2–3 experts. In my experience all essays have to undergo rewriting and a second anonymous review. Success rate is roughly 38%. We publish the best scholarship regardless of where an author is from, or at what stage of career they may be, in the fields of Art History, European and World History, European Literatures (including English Literature), Medical Humanities, Philosophy.

More than half of the authors who submit to us are based outside the UK: in the US and Australia; across Europe, including in Ireland, Greece, Spain; and in African nations. Many of our published authors include independent scholars (post-doctoral researchers without fixed-term posts, emeritus professors etc.) and postgraduates (our future!).

In addition to concerns about how APCs might be managed within universities for academic staff in the humanities, we are also aware that the authors under most pressure—whom we have a long tradition of encouraging—are postgraduate researchers. Even those who are awarded RCUK (AHRC) funding are likely to struggle. There is no provision to fund postgraduate publication under the AHRC's new round of the Block Grant Partnership (BGP2). For this reason we do not support the Gold option; this would discourage publication by all of these scholars.

Of the eight authors published by *Renaissance Studies* in 2005–2012 who acknowledged AHRC funding, five were AHRC-funded PhD students. Of the 16 UK academics who published in the journal in 2012, only two acknowledged that their research was AHRC funded. None declared that their research was Wellcome Trust-funded

Renaissance Studies already offers authors a pay to publish (gold OA) option with OnlineOpen. To maintain our international standing, though, we need to protect the quality of publications. The hybrid model will ensure that we continue to publish outstanding scholarship regardless of the ability to pay: Gold for those who can pay; Green for those who cannot. This latter group is likely to include outstanding UK scholars not in receipt of RCUK funding; postgraduates (including those in receipt of AHRC awards); independent scholars; international scholars.

There is a further issue: under the green route we support an extended embargo period of *36 months*. We think this is the shortest possible period that would protect the viability of The Society for Renaissance Studies, which supports early career researchers and the discipline out of the revenue created by the journal (see below). (We will still want to discuss with Wiley-Blackwell the cost of: (a) APCs (Gold) and of (b) University subscription (Green).)

THE LEARNED SOCIETY

The Society for Renaissance Studies currently receives approximately £30k a year in revenue from the journal (Wiley-Blackwell receives an equal sum; proceeds are split 50:50). This money supports the following causes: prizes (annual school essay prize; undergraduate essay prize; book prize; journal essay prize); postdoctoral fellowships; conference funding (small and large grants, with priority given to postgraduate bursaries); bursaries for curators. For full details of the work the Society does supporting the discipline and UK-based students, early career, postgraduate and independent scholars see: <http://www.rensoc.org.uk/>

Professor Jennifer Richards
Editor, *Renaissance Studies*, 3 February 2013

Case study 2: Journal of Victorian Culture

The *Journal of Victorian Culture* is a rapidly growing interdisciplinary journal. The Editorial Board has pursued an active policy of using digital technology and social media to speed up editorial processes, widen dissemination, and reach beyond the academy.

JVC was set up in 1996 with Leeds Trinity All Saints University College as trustee. In 2000 Leeds Trinity and *JVC* helped to form the British Association of Victorian Studies (BAVS). Though *JVC* and BAVS are autonomous they work closely and support each others' activities. BAVS demonstrates that learned societies can function without a house journal and its revenue stream. It recruits widely; its finances are healthy; it supports a number of postgraduate and post-doctoral bursaries, regional societies and events; its annual conference is always oversubscribed.

In 2010 *JVC* moved from EUP to Routledge, T&F and from two to three issues a year. In 2011 we went to quarterly publication. 45% of contributors are from outside the UK; our acceptance rate is 25%.

We are not permitted to disclose sales figures but income has increased moderately, 2010–12. Two-thirds of revenue comes from outside the UK, almost all from library subscriptions. These have moved rapidly from print and online packages (70% in 2010) to online only (49% in 2012). T&F operates an 18 month embargo and does not anticipate subscriptions will be affected by Green OA.

JVC's expansion has been aided by T&F's international platform and efficient back-up services eg, online manuscript submission. However, it has been driven by the Editorial Board's determination to accelerate the reviewing process (now 2–3 months) and to raise the journal's visibility, and by unpaid academic labour.

In September 2010 we launched the interactive *Journal of Victorian Culture Online* (*JVC Online*) <http://myblogs.informa.com/jvc/>, with technical support from Routledge. We wanted to maintain *JVC*'s brand identity in the online world and encourage readers to browse. We also aimed to offer Victorianists more immediate and engaging ways of interacting with each other and the wider public than was afforded by the traditional scholarly journal. We believe that this kind of online editing and curating will help to sustain in the digital environment the quality imprint currently associated with the print journal.

JVC Online has played a significant part in internationalising and growing the journal. Full-text article downloads were up 93% in 2012 over 2011. Over 30,000 people visited *JVC Online* in 2012 and we have over 1000 followers on twitter. *JVC Online* is now an important site for postgraduates and ECRs to profile their work, blog, engage with non-academic audiences (exhibitions, films, TV, etc). It provides a timely forum for debating Open Access, social media, public engagement and so on.

With Routledge's permission, we have made some *JVC* articles open access and advertised these via social media. These have been our most downloaded items, including the one article made open via an APC, paid by Wellcome. In 2012 only two of our authors acknowledged grant funding. The green route, therefore, is more likely to deliver cost effective OA in Humanities journals like *JVC*, and has the added benefit of making articles accessible on equal terms. As the transition process will now be longer than initially intended (Rylance, 29 Jan 2013) it will be worth piloting short embargo periods to see if there really is the negative impact on subscriptions that some fear.

Dr Helen Rogers
Editor, *Journal of Victorian Culture*

4 February 2013

Case Study 3: The English Association and the journal *English*

The English Association (EA) is a learned society, a subject association and a professional body. Advocacy for English at every level from primary to post-doctoral is central to its role.

- Its worldwide Fellowship is a highly esteemed international network of distinguished writers and practitioners, academics, scholars and teachers.
- Through its publications, conferences and subject networks, the EA seeks to represent and support the whole community of English language and literature practitioners, teachers and scholars.
- The EA's Royal Charter places on the trustees responsibilities for encouraging teachers of English to reach the highest professional standards. The EA's new professional designation, *Chartered Teacher of English*, has recently been approved by the Privy Council.
- Through the Common English Forum, the Association brings together all the subject and professional associations to debate current issues and to brief representatives of the DfE, BIS and the regulatory authorities.
- The EA acts as an important conduit for communication between English departments in schools and universities.

The EA is not a large or wealthy organization: it has a permanent staff of two and an office located at Leicester University. The great majority of its activity is funded by annual income from subscriptions to its academic publications, most notably *The Year's Work in English Studies*, *The Year's Work in Critical and Cultural Theory* and its journal *English*. These three titles are published for the EA by Oxford UP.

The Open Access arrangements, centred on the "gold" and "green2" options, will present a critical challenge to the EA's viability. Although the two *Year's Work* titles focus on reviews rather than original scholarship and are therefore not subject to the same criteria of access and embargo, subscriptions to these titles by libraries

world-wide will certainly diminish: indeed, O.U.P. is currently investigating the already-changing pattern of subscription to, and income from, these flagship EA publications.

Of particular concern to the Trustees is the impact of OA on *English*. There are two specific issues:

- (i) *English* is a key part of the subscription package available to all members of the Association. If open access means that individuals and institutions no longer need to subscribe to it, this will have a severe effect on the appeal of EA membership.
- (ii) One of the strengths of *English*, and a key part of its editorial policy, has always been to provide opportunities for publication by early career academics on the one hand, and by emeritus, independent and international scholars and writers on the other. (*English* is, of course, a fully peer-reviewed journal, with a strong reputation for the academic quality of its published work.) Of the fifteen contributors to the Winter 2012 issue (vol. 61, no. 235), nine are doctoral or postdoctoral researchers, one is a distinguished emeritus professor and three are full-time writers. It is hard to see how, under the incoming regulations, such a profile of contributors (which the EA considers to be important for the future health of the subject, and part of its mission under its Royal Charter) could be sustained. Limiting the scope for publication by early career researchers and emeritus scholars such as those whose work currently appears in *English* is clearly at odds with the research-driven imperatives of the academy.

The English Association's trustees are alert to the fact that challenges such of the kind now created by OA offer opportunities as well as threats. Nevertheless the transition period from one system of funding to another will severely constrain learned societies, such as the English Association, who are determined to continue their contribution to the cultural, academic and educational life of the UK.

Adrian Barlow
Chairman of Trustees, The English Association

5 February 2013

Appendix 4: Open letter from postgraduates and early career researchers

As postgraduates, early career researchers and staff working in the Arts and Humanities across a number of different institutions, we write to express our concern over the Government's current position on Open Access. While we are very much in support of the principle of Open Access to research, we believe that the recommendations of the Finch Report to pursue a 'Gold' model of OA has serious implications for the academic community as a whole, but particularly for postgraduates, early career researchers (ECRs), independent scholars and retired staff.

It is our understanding that the AHRC, like other RCUK bodies, will not be setting aside any money under BGP2 to cover postgraduate students' Article Processing Charges (APCs). There are also a high number of students who are not AHRC funded, including international students who pay fees significantly higher than UK students. It is not clear from what resource (if any) universities would draw funding to pay the APCs that would enable their postgraduate students, under the proposals outlined in the Finch Report, to publish their research in Gold-compliant journals.

It is also unclear how non-affiliated ECRs, independent researchers and retired staff would fund the APCs proposed by the Finch Report if the Gold route only were adopted, meaning that there is the danger that these individuals will effectively be prevented from publishing their research in OA journals. This is of particular concern to new postdoctoral researchers seeking academic employment, for whom—given the increasingly competitive nature of the academic job market, and the weight afforded to the REF in the decisions of appointment committees—a good publication record is of utmost importance.

Linked to this, there are serious questions regarding the 2020 REF, and whether or not only OA research will be considered for this. It is crucial that the Government and HEFCE clarify their position on this matter as soon as possible, as the implications of their decisions on OA policy concerning the Gold and Green models, and the severity of the impact these may have on the academic careers of PGs and ECRs, is dependent upon this.

According to p. 31 of the Draft AHRC Strategy 2013–2018 Document, the AHRC is planning a new initiative entitled 'AHRC New Generations: A Forum for Early Career Researchers (including post graduates).' We suggest that a leading item on the future agenda of this body should be 'finding means for PGs and ECRs to publish while conforming to the OA policy'.

Since universities will have limited funds available to cover APCs, opportunities to publish will be restricted, and priority may be given to senior academic staff and to 'safe' research by established names rather than riskier, more innovative work by unknown junior academics or those (typically recent doctoral graduates) on short-term contracts. In addition to this, due to the decision of RCUK to allocate block grant APC funding to institutions on a sliding scale, a two-tier university system will be fostered, in which the chances of research being published will come to depend largely on the institution to which they are affiliated. Moreover, there is a particularly worrying recommendation on the part of the Finch Group report: "Most universities will establish funds for the payment of APCs, along with policies and procedures which will in some cases move towards

open access as the default mode of publication. That will give universities a greater role in helping researchers to make judgements, in line with academic freedom, about how they publish their work” (p. 11). This recommendation risks posing a significant threat to academic freedom if the choice of what and where to publish is taken away from researchers and is guided by university managers, who may have financial considerations as their top priority, rather than the quality of the research being published.

Finally, there are issues associated with the green model as well as the gold model, and it is evident that more time and wider consultation is needed to consider the implications of both. The rush to accept and implement the Finch Report without giving universities and other interested groups—including postgraduates and early career researchers, the research generation of the future—time to respond adequately is very worrying. We believe the Government should not be implementing this policy without proper consultation with the universities, with academics and with the postgraduate and ECR communities, and we strongly encourage the Government to extend significantly the current consultation period.

Dr Emma Short (early career researcher, Newcastle University) and 54 others from 5 universities

6 February 2013

Written evidence submitted by the Council of University Classics Departments

EXECUTIVE SUMMARY

Classics is an international discipline in which the UK is a world leader, in research as in teaching. Central to the quality of UK research is publication subject to rigorous peer review. Classics departments are committed to public engagement and the wide dissemination of research results. We are therefore sympathetic to the *aims* of the Finch Report in wishing to maximize the Accessibility, Sustainability and Excellence of UK based research. But we consider that either Gold Open Access or Green Open Access without sufficient embargo periods or appropriate licensing will damage the sustainability of UK Classics. Specifically we are concerned that either will harm the publication of world class research, the essential infrastructure and research ecology of our disciplines, and the career opportunities of the next generation of researchers. We do believe that Green Open Access can be made to work, so long as some added value is preserved for those who pay the relatively low subscription costs of UK journals. We also consider that Extending Open Access into future REFs, and into monograph publication will need special care.

1. CUCD is the national subject association for departments that teach Classics, Greek, Latin, Ancient History, Classical Archaeology, Ancient Philosophy and allied subjects. It represents 29 university departments, with a total of around 500 academic staff. During 2011–12 these departments together taught just over 8000 undergraduate students and around 900 full-time and 300 part-time graduate students. Some 415 researchers from these departments were submitted to RAE 2008 sub-panel 59 (Classics, Ancient History, Byzantine and Modern Greek Studies). Others were submitted to sub-panels that covered Archaeology and History.²⁷

2. CUCD represents a community of UK based academics who use peer-reviewed journals and whose published research is evaluated by the REF. Departments and their staff represented by CUCD make extensive use of peer-reviewed journals for teaching, especially for the teaching of more advanced undergraduates and of taught and research postgraduates. For all these reasons CUCD has followed the Open Access debate with great interest.

3. Classics is an international discipline. It is particularly strong in continental Europe, North America and Australasia, but there is also growing interest in South America, China and Japan, attested by the creation of new departments, journals and conferences in these areas. A number of long-established classical departments also exist in Africa. UK departments play an important role in training future academic staff for all these areas. UK classical journals attract submissions from around the world. Foreign authored submissions make up well over 50% of articles published in major UK classics journals.

4. CUCD is committed to promoting a wider understanding of the ancient world. Its member departments and their staff do this through teaching; through giving talks to schools and local societies; and through writing and broadcasting aimed at school and university students and at the general public. Members of CUCD affiliated departments also take a leading role in outreach activities organized by registered charities including the Classical Association, the Classical Association of Scotland, the Society for the Promotion of Hellenic Studies, and the Society for the Promotion of Roman Studies.

5. CUCD therefore welcomes the principle enunciated by RCUK that “Free and open access to publicly-funded research offers significant social and economic benefits.”²⁸ The main UK classical journals²⁹ have all embraced electronic dissemination, first via JSTOR and more recently through contracts with a range of publishers. The results of UK based research in our field are more widely available now than ever before.

²⁷ All figures are Full Time Equivalents (FTEs). Figures on staff and student numbers from CUCD Bulletin 2012. Figures on RAE 2008 from <http://www.rae.ac.uk/>

²⁸ <http://www.rcuk.ac.uk/research/Pages/outputs.aspx>

²⁹ Including, but not limited to: *Annual of the British School at Athens*, *Britannia*, *Bulletin of the Institute of Classical Studies*, *Cambridge Classical Journal*, *Classical Quarterly*, *Classical Receptions Journal*, *Classical Review*, *Greece and Rome*, *Journal of Hellenic Studies*, *Journal of Roman Studies*, *Papers of the British School at Rome*.

6. CUCD is concerned that some models of Open Access currently under discussion threaten:

- to undermine peer-review, by making the business model on which journal publication is predicated unworkable;
- to weaken the international standing of UK Classics;
- to make it difficult for early-career scholars to publish their work; and
- to weaken the research ecology of the UK by undermining learned societies.

7. **Most classical journals are produced by charitable bodies.** The main sources of funding are (in descending order of importance):

- institutional subscriptions;³⁰
- individual subscriptions;³¹
- grant aid;³² and
- advertising revenue.³³

The first two of these are by far the most important in our discipline and many journals receive little or no revenue from grants or advertising.

8. **Institutional subscriptions to classical journals are cheap.** CUCD recognizes that much of the discussion around OA is driven by the very high cost of some science journals. HSS journals are typically cheap to produce, since peer review and much of the editing work is unpaid. Institutional subscriptions are low, in the region of £100 per annum.³⁴ CUCD recognizes the difficulties posed by the high costs charged for some science journals and recommends consideration be given to imposing a cap on institutional subscription rates, perhaps through conditions attached to research council funding.

9. **CUCD considers that some version of Green Open Access is compatible with existing models of publication in classics.** The prerequisite for sustainable Green Open Access is that institutions and individuals who subscribe, thereby gain some additional value. That value might include access to publications embargoed to non-subscribers, additional material (such as book reviews or disciplinary surveys) or hard copies of journals. Without some value added for subscribers, CUCD suspects that subscriptions of all kinds would eventually be discontinued, leaving no income-stream to pay for the costs of editing. Classical journals would then fail, and peer review would be seriously compromised across the discipline, with inevitable negative consequences for the quality of UK published research.

10. **CUCD strongly favours Green Open Access models that preserve the quality of peer review and allocate appropriate value to publishers, researchers, publishers, subscribers and the general public.** While we have sympathy with the demand by history journal editors for a 36 month embargo, we consider a 24 month embargo is workable. Shorter embargoes in our view would not be viable. We also consider that licenses should preserve the moral rights and intellectual property rights of the author, in such a way that fair use for educational purposes is protected.

11. CUCD has a number of grave concerns about Gold Open Access.

- A large proportion of submissions to UK based journals come from overseas. This would be unlikely to survive a UK only move to APCs, since overseas journals have no plans to introduce comparable charges.
- Equally, there would be little incentive for UK based scholars to publish in UK journals when overseas alternatives exist. While OA has a global agenda, by far the most common models under development are all Green. Adopting a Gold model would marginalize UK Classics internationally.
- APCs are payable only for articles that are accepted. While this is reasonable in terms of editorial and printing costs, a large proportion of peer-review is devoted to submissions that will not be accepted. Classical journals vary but acceptance rates are between 50% and 15 % of submissions. That could be remedied by adopting a market value rate, which humanities editors calculate as around £7,500 per article. But this would be an added barrier to publication for many.

³⁰ Institutional subscribers are mostly universities, in the UK and overseas. Some universities subscribe to individual journals, but increasingly they purchase 'packages' of electronic journals in related disciplinary areas. This trend has contributed to a recent and very significant increase in the international availability and so potential impact of these journals.

³¹ Individuals often receive copies of journals as part of their membership privileges of charitable organizations such as the Classical Association.

³² Grant are generally available only to subvent the publication of archaeological reports or lengthy documents, such as editions of newly edited inscriptions or papyri.

³³ Advertising revenue is mainly derived from publishers of book in the subject areas served by the journals.

³⁴ For 2013 the institutional online only subscription to ABSA is £81, to PBSR is £74, to Greece and Rome is £108, to JRS or JHS or Britannia is £121, and to CQ or CR is £138. (All figures from <http://journals.cambridge.org/>)

- Many UK-based researchers would not have access to institutional support either because are not yet in post, are retired, or work outside the university sector. Only a minority of research in Classics is funded by RCUK: if Gold Access were to become generalized, the burden of APCs would fall on HEIs.
- UK HEIs are unlikely to be able to support the current level of publication by their own staff. One reason is that HEIs will be unlikely, in a time of austerity, to support more publications than are needed in each REF cycle, or publications by staff members who will not be eligible for the following REF whether by reason of retirement or because they are on temporary contracts.
- More generally, HEIs will have to balance spending on publication against spending on infrastructure and on supporting research eg by library purchasing and funding fieldwork, archival visits, conference attendance and making grants to research students. It seems unlikely to us that libraries will make sufficient savings by discontinuing journal subscriptions to balance the additional cost of APCs.
- HEIs will be less effective at selecting high quality outputs than is the current system of national and international peer review. One risk is that the work of senior staff will be treated more charitably within their own institution than by reviewers, especially those operating under the double blind systems that are best practice in HSS disciplines. Moreover, most HEIs do not have enough independent experts to judge the work of their staff in the same field. UK HEIs are at present spending very large sums purchasing consultancy services from staff in other institutions for REF pilot exercises. This could become regularized if HEIs took on the responsibility for peer review of research and wished to include an element of externality. But implementing such a system would be inflationary. More likely the excellence of UK research would be compromised at the same time as the costs of its review and publication would rise.
- CUCD expects that the net-effect of a proliferation of Gold Access in the arts and humanities will be to reduce the opportunity to publish, the amount published and the rigour of the review process. All this would be bad for UK research and for UK researchers.

12. CUCD realizes that the implications of generalized Gold Open Access for Classics would be complex.

- APCs would have to be different for journals that publish less than a dozen articles per annum compared to those that publish forty or fifty.
- The more international journals (such as JRS and JHS) would fare differently from those that mainly publish UK based researchers. Most classical journals are international, and receive a high proportion of submissions from authors without much likelihood of access to APCs. The principal exception is archaeological journals like *Britannia* which mainly publish UK based researchers and are better able to attract grant income.
- A funding mechanism would need to be devised for the publication of book reviews that account for anything from 0% (*Cambridge Classical Journal*) to 100% (*Classical Review*) of the pages of classics journals.
- Some learned societies would have to consider whether to cross subsidize journals, so that the APCs from some might support others.
- CUCD considers that Classics would suffer less than some other Arts and Humanities disciplines during a transition since it is concentrated in research-intensive universities which will have most access to funds to pay APCs including the transitional help from RCUK. Nevertheless, one third of CUCD member departments are based in non-Russell Group universities. All UK classics departments made submissions to RAE 2008.

13. CUCD considers that in the short term there would be a number of undesirable consequences of a general move to Gold Open Access.

- the cost to the public of sponsoring research would in the short term rise as journals were paid additional sums on top of their subscription income. The charitable bodies that publish journals would doubtless make good use of this windfall, but “double funding” is hardly in the public interest.
- editors of hybrid-journals would come under some pressure to publish papers that carried APCs rather than papers that were zero-rated for one reason or another, regardless of their academic quality.
- researchers might come under pressure to publish shorter papers to allow journals to increase the number of APCs available for each issue.

14. CUCD considers that in the long term Gold Open Access would transform publication in ways that would in fact diminish access to high quality research. As institutions ceased paying subscriptions for materials that were available for free, some journals would become non-viable. A small number of HSS journals of very high status might survive, but the closure of most would undermine the package model that has done so much to increase global access to UK published research. On-line publication with little or no peer review would lead to a diminution of excellence. Conversely some high quality research might be unable to find a journal publication because of the rationing of APC funding.

15. CUCD therefore considers that Gold Open Access may succeed in promoting Accessibility only at the expense of Sustainability and Excellence.

16. CUCD has additional concerns at the implication of Open Access policy for future REFs. OA in the REF will affect a much greater proportion of research than OA requirements placed on recipients of RCUK grants, given that most Classics research is funded through QR.

- CUCD recognizes that HEFCE has stated only that “research outputs submitted to a REF or similar exercise after 2014 shall be as widely accessible as may be reasonably achievable at the time.”³⁵ Much depends on how that principle is elaborated in the detailed rules for REF 2020 that we understand will be published by the funding councils later in 2013.
- A large part of the outputs currently produced by researchers in Classics appear in journals or conference proceedings produced outside the UK or in collective works or monographs for which no model of Open Access has yet been developed. On the face of it, little of this would be eligible for submission if OA is required.
- Many research publications in Classics include material in third party copyright.³⁶ At the very least exemptions would have to be made for publications in this category.
- The lead in time to monograph production in particular is a long one. Major changes in the assessment regime will certainly distort research.
- HEIs will be in the unenviable position of planning for REF 2020 in a period of major change, when the survival of particular journals and publication models cannot be presumed and when funds for managing transition are less available than ever before.

It seems to us premature to object to these proposals, but we look forward to participating in the promised future consultations.

17. Finally, CUCD also has some concerns about the potential extension of Open Access to monographs.

- The monograph is a fundamental publication format in many (although not all) classical sub-disciplines. CUCD considers that it is important that however the OA debate develops, a monograph format remains available for the publication of certain kinds of research.³⁷
- It is at present unclear how either academic or commercial publishing houses would respond to requests to make monographs available through either Green or Gold Access.
- A number of alternative business plans for OA monographs have been proposed, and some alternative formats to the monograph. Some but not all retain an element of peer review. CUCD considers it is right that those who wish to experiment with new business models and new formats should be encouraged to do so, but that until some of these have established themselves existing models and formats should be preserved.
- Monographs also pose in an acute form the problem of determining how much of a given work does derive from publicly funded research, and how much from research conducted in a given REF census period (as opposed to over a lifetime of scholarly activity). Open Access protocols would need to take this into account.

More generally CUCD considers there would be difficulties in reconciling legitimate public access to publicly funded research with the intellectual property rights and moral rights of authors and the commercial interests of publishers, agents and distributors that are vital to monograph production and dissemination. CUCD considers that further discussion of the monograph issue is desirable, and recommends that it should involve as many stakeholders as possible.

Professor Greg Woolf, University of St Andrews

Chair

Council of University Classics Departments

6 February 2013

³⁵ <http://www.hefce.ac.uk/news/newsarchive/2012/statementonimplementingopenaccess/>

³⁶ Particularly true of literary commentaries but also of archaeological, epigraphic, numismatic and papyrological publications to which images of material are usually integral.

³⁷ Notably commentaries, editions and translations of texts, historical studies of major themes, archaeological site reports and museum catalogues. This list is not exhaustive.

Written evidence submitted by Creative Commons Corporation and Creative Commons UK

We comment specifically on the CC BY license provision. We thank you for the opportunity to comment and we're happy answer any follow-up questions you may have.

INTRODUCTION

1. Creative Commons³⁸ is a nonprofit corporation dedicated to making it easier for people to share and build upon the work of others within the framework of national copyright laws. The Creative Commons suite of free copyright licenses provides a simple, standardized way to give users permission to share and use creative and scholarly work. Creative Commons United Kingdom³⁹ is the affiliate partner that supports education and adoption efforts in the UK. The proposed Research Councils UK (RCUK) Policy on Access to Research Outputs requires that the Creative Commons Attribution licence (CC BY) be applied to articles funded through RCUK.

2. Creative Commons wrote to the RCUK in March 2012⁴⁰ and we applaud the stated commitment to full open access, which “allows unrestricted re-use of content with proper attribution—as defined by the Creative Commons CC-BY license.” The right to read articles online for free is essential, of course, but unless researchers are given—and clearly informed about—their legal right to copy, amend and redistribute the research, those publications will be reused less, and the overall impact lessened. CC BY communicates these rights in advance, removing the burden of seeking and possibly having to negotiate for permission to use the resource. CC BY’s machine-readable metadata makes for easy search and provides clear statements of permissions and requirements; and under those requirements, authors will receive the credit they deserve.”

RESPONSES OF CREATIVE COMMONS TO HOUSE OF LORDS COMMENTS⁴¹ CONCERNING THE CC BY LICENSE

3. Several respondents to the earlier House of Lords Science and Technology Select Committee consultation on Open Access provided written evidence concerning the operation of CC BY. Some of these comments are misleading and at times incorrect. We identify and respond to these errors below.

MISUSE OF RESEARCH

4. A few commenters suggested that the use of CC BY licenses will cause authors to “lose control of their work” or “enable the misuse of research, for example by presenting extracts in ways that appear to contradict or undermine the author’s meaning.” Creative Commons licenses are copyright licenses that grant certain rights to the public while retaining others, such as the right of attribution, to the author of the article. Creative Commons licenses do not obviate or replace norms and best practices for scholarly citation. In fact, Creative Commons licenses add to these standard requirements by providing a sophisticated, flexible requirement for attribution that respects the needs of authors. The attribution requirement is a condition of all Creative Commons licenses. This requirement calls for preservation of any copyright notice; attribution of both the author and of any other persons or entities that the licensor dictates (such as a sponsoring institute or journal); and provision of the URL (link) to both the original work (if provided) and the CC license the work is under. This attribution requirement thus serves the dual purpose of ensuring that the author receives appropriate credit and that the provenance information for the work is kept intact. Authors who release their work under CC BY may request not to be attributed at all, and can require users to remove the credit otherwise required. This removal mechanism enables the authors to distance themselves from re-uses of their work they may find objectionable, a feature that may be used to protect their reputation.

5. CC licenses contain a number of additional mechanisms designed to protect an author’s reputation. These include a “no endorsement, no sponsorship” clause, which is a standard feature of all CC licences. This clause prohibits users of a work from implicitly or explicitly asserting or implying any connection with, sponsorship or endorsement by the author of that work without express, prior written consent. Any violation of this clause results in automatic termination of the user’s right to use the CC-licensed work. Furthermore, when a work is licensed under any CC license that permits alterations (including CC BY), anyone modifying the work must clearly label or identify the changes have been made when they distribute their new version. This marking requirement puts users of the new work on notice that the original has been modified, helping ensure that modifications are not wrongly associated with the original author of the work. Also, the Creative Commons international licenses (those not ported to individual jurisdictions, such as <http://creativecommons.org/licenses/by/3.0/>) explicitly maintain the users moral rights of attribution and integrity, where such rights exist.

6. When articles are released under a CC BY license, any modifications that are made do not affect the integrity of the original material because any changes are made (and noted) on a copy of the released information only. The original published version remains intact and preserved, exactly as released (most typically) in an institutional repository. Furthermore, this original version must be linked to from the new work, ensuring that downstream users are able to verify any statements.

³⁸ <http://creativecommons.org>

³⁹ <http://www.creativecommons.org.uk/>

⁴⁰ http://wiki.creativecommons.org/RCUK_comments

⁴¹ <http://www.parliament.uk/documents/lords-committees/science-technology/Openaccess/OpenAccessEvidence.pdf>

7. We are unaware of instances where the CC BY license (as opposed to other factors) was the cause per se of a work being misrepresented. The CC BY license does not exacerbate the long perceived problem in scholarly communication that research may be misinterpreted or miscommunicated. This challenge has always existed. Indeed, given the requirements for removal and marking as indicated above, CC BY helps with this problem by giving the author recourse against the mis-user under its specific terms. The CC BY license—and copyright law in general—cannot prevent misuse of research data. This is because the underlying laws already allow for selective quotation and reuse of copyright content under exceptions and limitations to copyright law. The CC BY license makes reuse rights clear to downstream users, so that they may, for example, conduct data mining on articles. To summarize, Creative Commons licenses are copyright licenses, and do not obviate or replace norms and best practices for scholarly citation.

THIRD PARTY RIGHTS AND DOWNSTREAM DISTRIBUTION

8. Some commentators argued against the CC BY requirement because they claim that where articles include third party material—such as photography or artwork as is common in the humanities and social science research—it will be unlikely that those rights holders will be in a position to grant the necessary rights to allow the author of the article to release the work under CC BY.

9. In general, CC BY does not purport to license or sublicense in any respect any content that the author doesn't own or control. Indeed, by the very terms of the CC licenses, the licenses cover only the rights held by the licensor. The particular concern here can be managed by clearly stating the terms on which the third party content (which is not under the CC license) is made available to users. Other open access publishers such as PLOS and BioMed Central have used this practice for years. The Wellcome Trust provides one example where an article is licensed under the CC BY license,⁴² whereas a figure inside the article is Crown Copyright.⁴³ Proper marking is the solution in such a situation, so that users of a work are on notice that different license terms apply to different parts of that work, or that an exception or limitation permitted inclusion of some parts, but that the same exception and limitation may not apply to their particular reuse.

10. Creative Commons maintains an informational page to help licensors properly mark third party content⁴⁴. By clearly communicating through marking (or perhaps at the point of download or in the copyright notice) that other rights apply to some discreet pieces of the CC BY-licensed work, authors are applying copyright best practices, providing a useful service to end users and honoring the agreements they may have with third party content providers. Clearly marking third party content as such should be standard practice for all journal publications, regardless of the licence that the article is under, just as it is for works published without an open license: ordinary academic courtesy no less than the copyright law requires notation of the circumstances that permits the inclusion of the work of others.

PLAGIARISM

11. At least one commenter suggested that the adoption of CC BY “[a] offers virtually no protection against plagiarism ... [and (b)] unfettered creative commons licensing would constitute a serious infringement of intellectual property rights and pose a threat to UK intellectual capital.” As to (a), plagiarism is the practice of taking someone else's work and passing it off as one's own. Plagiarism is a completely orthogonal issue to copyright infringement, and there is simply no evidence we know of that would support a claim that CC BY would promote or encourage plagiarism in a way any other solution would not as well. As to (b), CC licensing does not infringe IP rights; rather, it is a conditional permission for the public to exercise some rights on specific terms that can only enhance UK intellectual capital by making it more readily available for wide distribution and innovative use.

CC BY LICENSES NOT WIDELY USED BY OA PUBLISHING

12. One commenter says, “no major commercial publisher or not-for-profit academic press allows a commercial or derivative use of their publications.” This is simply incorrect. Sustainable, professional, and respected open access publishers such as PLOS and BioMed Central have published hundreds of thousands of peer-reviewed articles under the CC BY license. And, both Springer and Wiley have begun to offer CC BY on many of their publications. The BOAI10 Expert Group on Open Access recommends CC BY⁴⁵ as the preferred license for open access publication.

LICENSING REQUIREMENTS AS A CONDITION OF FUNDING

13. One commenter noted that the authors are in the best position to make judgments about how their work may be reused, and by extension they should be able to choose the best license to accomplish this—such as a license more restrictive than CC BY. However, a funding body is entitled to set commercial terms as a condition of funding just as publishers do as a condition of publishing. A grant recipient may choose or decline to accept those terms when funding is offered; the choice is theirs to make: they can accept the funding and the

⁴² <http://www.ijbnpa.org/content/9/1/37>

⁴³ <http://www.ijbnpa.org/content/9/1/37/figure/F1>

⁴⁴ http://wiki.creativecommons.org/Marking/Creators/Marking_third_party_content

⁴⁵ <http://www.opensocietyfoundations.org/openaccess/boai-10-recommendations>

accompanying terms, or decline of their own free will if they disagree with the terms offered. The government should be granted a wide berth in setting the terms for the copyright of the materials its funding generates. It is reasonable for funding bodies to require a specific license if such a license will be the best way to fulfill the mission and goals of the funding program.

7 February 2013

Written evidence submitted by Professor Stephen Curry

1. EXECUTIVE SUMMARY:

The committee should ask Mr Willetts, minister for universities and science, what progress has been made in convincing other research-active nations to adopt gold-friendly open access (OA) policies that align with the current UK position. If the minister is unable to convince international opinion, a rethink of UK policy may be needed to lubricate the transition to a workable worldwide system of free access to publicly-funded scholarly publications.

2. THE SUBMITTER:

My name is Professor Stephen Curry. I work at Imperial College London, but am writing in a personal capacity. I have been an active research scientist for around 25 years and published over 80 peer-reviewed articles. I have written extensively on open access (OA) from the perspective of a working academic. (1–3).

3. THE SUBMISSION (PARAGRAPHS 3–9):

Open access to publicly funded research is both a huge opportunity and a contentious problem. The committee will no doubt receive submissions from across the spectrum of opinion on recent policy developments in the UK. To keep things brief I will confine my remarks to what I think is the most important of the topics identified in the call for evidence— *“The level of ‘gold’ open access uptake in the rest of the world versus the UK, and the ability of UK higher education institutions to remain competitive.”*

4. Following Finch, the UK Government and RCUK have arguably made a bold move in declaring a preference for gold OA. In the *long run* adoption of gold OA is likely to offer a major improvement in terms of cost and access (4) over the current mixed model, which is based on journal subscriptions and partial open access—mostly from green OA repositories.

5. However, this improvement will only be realised when there is a worldwide move in academic publishing to a model that is predominantly or wholly OA. Ultimately, journal subscriptions could be abandoned and the money used instead to pay publishers’ Article Processing Charges (APCs) required under gold OA.

6. This transformation—and we should not underestimate how radical or important it will be—is critically dependent on international cooperation, but on this key point there appears to be much confusion. None of the major research-active nations have followed the UK lead. They appear instead to be opting for green OA mandates.

7. As a result the UK policy, which is in some ways an exemplary and usefully disruptive gamble, looks increasingly out of step with the rest of the world. To my mind there is an urgent need to coordinate OA policy internationally.

8. Mr Willetts, the minister for universities and science, has talked about consulting with his counterparts in other countries. I think the committee should ask for a detailed report on what progress he has made. If the minister is unable to convince international opinion, a rethink of UK policy may be in order.

9. Even then, if there is a swing to support for green OA, an international route needs to be mapped out that clearly explains how one gets from green OA, which depends on maintenance of an already expensive subscription model, to a system of worldwide gold OA that offers the benefits of a more transparent and more efficient publishing market, immediate (unembargoed) access to the version of record and CC-BY licences to facilitate text-mining and re-use.

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6 February 2013

Written evidence submitted by Emerald Group Publishing Limited

EXECUTIVE SUMMARY

This document represents the formal submission to the Business, Innovation and Skills (BIS Committee's inquiry on Open Access (OA) from Emerald Group Publishing Limited (Emerald), a UK-based publisher of books and journals in the business, management, social science and engineering disciplines. The document represents the company's view on the Government's OA policy, and its implementation through Research Councils UK (RCUK).

INTRODUCTION

Emerald Group Publishing Limited was founded in Bradford in 1967 and is a leading academic publisher in the fields of business and management, social sciences and engineering. It operates globally, and currently publishes 300 journals and 165 books annually.

It is making this submission as a key stakeholder in UK higher education—it draws more authors from the UK than any other country, and counts almost all UK universities among its customers. As such, it has an understanding and an obligation to ensure the needs and rights of its author community are fully supported during any inquiry.

EMERALD'S OPEN ACCESS STATUS

Emerald has had a very open policy towards Open Access (OA) over many years. Currently it is a "RoMEO Green" publisher, which allows all authors to deposit the pre- or post-print version of their article (except the Emerald-published pdf) on their institutional repository or personal website at any time, with the appropriate attribution.

It also works with major associations in the disciplines it covers to allow further access to content, such as IFLA and the Bill and Melinda Gates Foundation, as well as making some journal content freely available for newly launched journals.

ISSUES FOR BIS COMMITTEE DISCUSSION

Finch Report Recommendations

While supportive overall of the Finch Group report, Emerald has three main concerns over the speed of adoption of the report by RCUL and rush towards implementation, the lack of guidance on certain key issues impacting on researchers and publishers, and the inability to answer these concerns at this very late stage in the process. As such, Emerald welcomes this opportunity to submit these concerns to the BIS Committee inquiry

COPYRIGHT AND PERMISSIONS

One of the key issues to cause concern in the research community is the preference for a CC BY licence for mandated content. Emerald believes that the CC BY licence is not appropriate for scholarly publishing as Emerald believes this will fail to protect authors' moral rights and their ability to control where their work appears, such as in misleading commercial context. This could damage the delicate balance that has sustained peer review of journal articles, which is the cornerstone of academic communication. If a Creative commons licence must be mandated, a better option would be CC BY-NC.

COST OF OA IMPLEMENTATION

The ability to pay article processing fees (APCs), for business, management and social science authors in particular, is limited. It seems that additional funding will not be immediately made available to authors in these disciplines even if they have direct funding for research and a publishing mandate in April and beyond, and there may be limitations on authors' ability to pay from their own pockets. Furthermore, the propensity to pay APCs is hampered by unrealistic expectations among authors, as Emerald's own research shows a preference to pay APCs at price points below \$50.

GOLD OA IN THE UK AND INTERNATIONALLY

The lack of clarity in what will happen in the UK makes any pronouncement on this hazardous at best, so clarification of the issues highlighted in this report would be beneficial. In terms of the international context, it is important that the needs of researchers in business, management, economics and other social sciences are considered specifically, as they have a very different profile and set of dynamics to those in scientific research areas.

RECOMMENDATIONS FOR THE BIS COMMITTEE

Emerald's recommendations to the BIS Committee are fourfold:

1. *Delay implementation.* Emerald suggests that the implementation of the Finch Group report by RCUK is delayed until 2014
2. *Provide clear guidance around funding of APCs.* Emerald recommends that as a minimum requirement, all outstanding issues are answered with the maximum possible speed
3. *Recognise major differences in publishing across subject areas.* Research is undertaken to further understand these differences between subject areas, and any implementation by the RCUK fully takes into account these differences
4. *Choose a much more robust licence.* A stronger licence such as CC BY-NC would enable publishers to protect authors' IP and their works from any misrepresentations or intellectual theft.

SUBMISSION TO THE BUSINESS, INNOVATION AND SKILLS COMMITTEE FOR ITS INQUIRY INTO THE GOVERNMENT'S OPEN ACCESS POLICY

1.0 INTRODUCTION

1.1 Emerald Group Publishing Limited ('Emerald') was established in 1967 by business and management academics at the Bradford School of Management in West Yorkshire and since then has become the world's leading scholarly publisher of journals and books in business and management with a strong and growing presence in disciplines including LIS, social sciences and engineering.

1.2 Emerald is based in Bingley, West Yorkshire, and currently employs over 300 people in Bingley and overseas. As such, it is a significant local employer in the local area, and is based just five miles from where it originated, and Emerald is owned by Dr Keith Howard who is one of the original founders of the company.

1.3 As a publisher, Emerald chooses to facilitate the global production and dissemination of research that focuses on issues of social importance. Our scope of publishing covers the collection and dissemination of research that is relevant to the fields of management, library and information science, engineering and the social sciences. Emerald's strategy for achieving our long-term sustainable vision involves six key initiatives:

- (1) Support scholarly research
- (2) Make research accessible
- (3) Use technology responsibly
- (4) Sustain and protect our environment
- (5) Support local and regional communities
- (6) Observe high ethical standards in business and employee relationships.

1.4 Emerald currently publishes 300 journals and 165 new books every year, the majority of which are research-oriented and peer reviewed. Emerald has around two-thirds of its content focused on the business, management and economics fields, and as such is one of the world's leading publishers in these areas. It also covers (BME) other areas in some depth, including engineering, health and social care, education and other social sciences.

1.5 Emerald also has one of the world's highest quality collections of Library and Information Science (LIS) journals, and owns library and information management association ASLIB. By publishing high quality journals by librarians for librarians, as well as running training events and conferences for this community, Emerald has developed strong links with librarians and understands their needs extremely well—this is evidenced by the strategic partnerships it has with them through international organisations such as the International Federation of Library Association and Institutions (IFLA).

1.6 Emerald works in close collaboration with a number of academic and corporate organizations and associations worldwide—among these are the Association to Advance Collegiate Schools of Business (AACSB), the Academy of Management, the International Federation of Library Associations (IFLA), the American Library Association (ALA), the European Foundation for Management Development (EFMD), CEEMAN (Central and East European Management Development Association), and many more.

2.0 OPEN ACCESS STATUS

2.1 Emerald has a strong record in protecting the copyright and intellectual property of its authors, which numbered over 19,000 in 2012, publishing 8,601 articles. It has long held a "RoMEO Green" status for its journal articles (see 2.2 and 2.3 below), which represents its generous approach to author access. Emerald also has a liberal authors' charter, which allows authors to reuse their own works extensively. Emerald has consistently been given high percentages of full copyright assignment from its authors; this has enabled us to disseminate their work as widely as possible through our own channels and with third parties, as well as providing a permissions service on their behalf. We clearly explain these benefits to our authors—for example in 2012, 99.4% of articles published had full copyright assigned to Emerald.

2.2 Emerald has a number of OA initiatives that it has developed in conjunction with its stakeholders that it has developed and run with some success, balancing the needs of the communities it serves with those of its customers:

- Emerald has an agreement with strategic partner IFLA such that a number of papers from its prestigious conference are re-worked as articles for review and publication in Emerald journals, and in return Emerald allows those articles to be made openly accessible after just nine months.
- Emerald also has an agreement with the Bill and Melinda Gates Foundation that research papers supported by the Foundation are made openly accessible, with a similar nine month embargo period to the IFLA agreement.
- Every journals offers two free articles from the previous twelve months on its homepage, which can represent up to 20% of annual content.
- Emerald has also made some journal content freely available for newly launched journals to support the development of emerging research disciplines.
- For over a decade, Emerald has adopted the Sherpa “RoMEO Green” status, which enables all its authors to place the pre- or post-print version of their articles (excluding the Publisher PDF-branded version) on personal websites or in their institutional repositories. Importantly, it places no embargo on the ability of authors to do so, so they can promote or disseminate their own work as soon as it is published, with the correct attribution to the published version.

2.3 Emerald’s Green RoMEO status was originally adopted through recognition that its authors would want to promote their research and to help support institutional repositories. In particular, it was informed through its close relationship with librarians, and the status reflects the symbiotic relationship Emerald has with them and other author groups. Emerald recognises the need to share information beyond its direct customers, but without the immense value its Editors, boards, journals, books and peer review networks provide in acknowledging the best research in all the disciplines it covers, this delicate Eco-system would collapse.

2.4 Sections 3.0 to 6.0 below refer broadly to the four issues highlighted for discussion by the BIS Committee

3.0 FINCH REPORT RECOMMENDATIONS

3.1 With regard to the Government’s acceptance of the recommendations of the Finch Group Report (“Accessibility, sustainability, excellence: how to expand access to research publications”), and its preference for the “gold” over the “green” open access model, Emerald cautiously welcomed the findings in 2012. However the RCUK’s adoption of it seemed too rapid for a full understanding of all the consequences of the recommendations made, and this has been borne out in recent months with a number of key stakeholders in academic publishing, such as Editors and learned societies, voicing great concern at the impact and unintended consequences of RCUK’s implementation of the Finch Group’s report.

3.2 Furthermore, Emerald has been disappointed by the lack of clear guidance and simple information ahead of the April 2013 deadline for granting OA status to publicly funded research. As this submission is being finalised in early February, there are still questions that remain unresolved, which has meant that planning for the changes by the organisation has been almost impossible. This in turn has led to dangerous instability and exposure in the marketplace. These questions include:

- What support will be available to authors to cover Article Processing Charges (APCs)?
- What level will APCs be set at?
- What flexibility has been built into the RCUK’s approach to take into consideration the differences in subject disciplines, particularly in the social science and humanities areas?
- Will there be a level set? Will it be determined by discipline?
- Will non-UK-based co-authors be included in the mandates?
- When publishing international research with varying funder mandates, which mandate takes precedence?
- What penalties will be imposed on authors who do not make mandated research OA? What penalties would publishers face?

4.0 COPYRIGHT AND PERMISSIONS

4.1 To answer the questions the BIS Committee has on rights of use and reuse in relation to open access research publications (including the implications of Creative Commons “CC BY” licences), this is a complex and often grey area for all publishers, and again there has been little guidance from RCUK on the implications of its new requirement.

4.2 It was stated above (para 2.3) that Emerald has for over a decade allowed its authors to deposit their articles in repositories and elsewhere without embargo. The adoption of “RoMEO Green” status has meant that many authors have shared their work outside of academia with interested third parties. Given the areas Emerald publishes in, this will have benefited both UK organisations and many further afield as well.

4.3 The nature of this policy, however, depends on a delicate balance between openly accessible content and the ability of Editors and publishers to define, improve and promote the very best research. Again, there is uncertainty around some of the details of RCUK's implementation of the Finch Report, specifically around embargoes and how workable these will be. While Emerald does not currently operate an embargo, it readily understands the protests by History journal editors recently as to the differences their subject area has in the 'churn' of research, and the need to impose a longer embargo period of 36 months.

4.4 The choice of licences is one much debated in both the OA community and wider publishing and licencing communities. As a publisher, we believe one of the cornerstones of our policy should be the protection of the intellectual property (IP) rights of our authors. We ensure this by managing the peer review process responsibly, by advocating the highest standards of publication ethics, as evidenced by our membership of the Committee on Publication Ethics (COPE). We also respect the intellectual rights of other rightsholders and ensure that any third party material within our content has permission cleared. We adhere to the STM permissions guidelines to enable the gratis flow of content between academics and publishers.

4.5 Given this position, it is difficult for Emerald to endorse the decision by RCUK to impose the CC BY licence. It is our opinion—one that is shared by many across all stakeholder communities—that this licence is open to abuse and misinterpretation. We believe that it will fail the needs of researchers to protect their moral rights. Whilst the CC BY licence requires attribution, it is only as a contractual obligation and does not carry the same weight as the statutory assertion of paternity rights in accordance with sections 77 and 78 of the Copyright, design and patents act 1988. Emerald (along with other publishers and learned societies) is concerned that the CC BY licence will allow for third parties to commercialise the research and use it in misleading contexts to further their own aims.

4.6 Under the CC BY licence, there will be a loss of secondary revenue for publishers. Academics look to publishers to constantly improve and innovate with new products, services and platforms—without this revenue, UK publishers may be unable to keep up with international innovation.

5.0 COST OF OA IMPLEMENTATION

5.1 In relation to the likely costs of article processing charges (APCs) and the implications for research funding and for the taxpayer, as Emerald publishes predominantly business, management and social science areas, our authors are faced with a limited ability to pay any APCs for articles to be published in an OA environment, and limited or no funding to support them.

5.2 This position has been made more untenable by the confusion around what funding will be made available to which researchers to support any APCs they have to pay.

5.3 Emerald has been constantly reviewing its options with regard to OA for many months and years, and has undertaken research with its stakeholders in order to understand their needs regarding OA, and how might it best serve them. The research* it has completed has shown the following:

- There is a very high recognition rate of Open Access, with 88% of Emerald authors aware of it.
- The most recognised OA model was “Gold” with over half of respondents familiar with the term.
- Only 38% were aware of “Green” OA models
- While 40% of authors were “very likely” or “likely” to use either Green or Gold OA options, 42% were “not very likely” or “not at all likely” to use Gold OA, and 41% to use Green OA
- The propensity to pay OA article processing fees (without additional funding for APCs) lags greatly behind the charges being levied—the survey showed the most likely price authors would pay to enable their articles to be openly accessible was between \$15 and \$50. Major publishers currently charge a wide range of fees that range between \$99 (currently on offer from Sage Open) to \$3,250 (Taylor & Francis)

[*Survey completed in June 2012 with 888 respondents]

6.0 GOLD OA IN THE UK AND INTERNATIONALLY

6.1 For many stakeholders in the research process, the level of “gold” open access uptake in the rest of the world versus the UK, and the ability of UK higher education institutions to remain competitive, is a key issue.

6.2 As noted above, Emerald has been disappointed by the lack of any clear guidance on many issues around the implementation of the Finch Group report by RCUK, however the most acute of these has been the lack of clarity around APCs. Like many publishers, Emerald is keen to develop new business models in order to adapt its existing systems and programmes to the new RCUK directive, however this has been made virtually impossible by the absence of any real information around how APCs will be funded, distributed to authors and in turn paid to publishers to enable articles to be published in an OA environment.

6.3 Specifically, Emerald would like to understand how the following will work:

- The latest information suggests only 45% of APCs will be funded in the first year (2013–2014)—why not all APCs?

- Which authors will receive this funding initially? Will it be by subject area? Will these subject areas be, as has been mooted, be the science, technology and medical (STM) disciplines?
- Funding of APCs will apparently increase to 75% after a period of time—which authors will miss out on funding and why?
- What is the process for authors to apply for additional funding for APCs? How long will this process take? Will it be done directly by authors or through their universities or research institutions?
- Will there be a minimum or maximum level of APCs? Will publishers be able to levy any fee? Will there be any guidance on acceptable fee structures?
- Will the levying of APCs differ by discipline? Will the type of peer review undertaken be taken into account in the setting of APC levels?

6.4 It is difficult for any organisation to have so much uncertainty just a few months ahead of such major changes to the structure of the market it operates in. Furthermore, Emerald is aware that the EU has indicated it wishes to follow the UK in its moves towards OA, and the Australian Research Council (ARC) has recently indicated a similar proposal for 2014. Both the EU and Australia, however, have few grants made in business, management and social sciences, and as with the UK, there is little or no support for authors who will have mandates to publish their research as OA content, but do not have the financial means to pay for what is a costly process.

7.0 RECOMMENDATIONS FOR THE BIS COMMITTEE

7.1 Touching on some of the concerns that have been raised, and perhaps some new ones, the following points represent Emerald's communication to BIS and its recommendations as to how it should at for the overall benefit of all parties involved.

7.2 *Delay implementation.* The speed of adoption has thrown many parties in academia, learned societies and publishing into confusion, especially given the lack of guidance and clarity around the new regulations. As a minimum consideration, we would recommend that the implementation of the Finch Report by RCUK is delayed until 2014 to ensure these problems are navigated successfully.

7.3 *Provide clear guidance around funding of APCs.* As indicated in the text above (para 2.5), there are still a number of questions outstanding around APCs. Any organisation has to be able to plan at least a few months ahead for major changes to market conditions, and it is both unfair and unjust that these questions remain to be answered just a few weeks before implementation. Emerald therefore recommends that as a minimum requirement, all these questions are answered with the maximum possible speed, or as suggested above (para 3.5.3.1) implementation is delayed.

7.4 *Recognise major differences in publishing across subject areas.* As evidenced by the recent research on OA with Emerald's authors (para 2.6), while there is recognition of OA as an issue, there is a very mixed view in terms of which models are available (ie Green or Gold), which models would suit them and how much they could pay should they choose the Gold route. Emerald believes there is a huge knowledge gap among academics, particularly in fields such as Business and Management where the dynamics around funding of business schools (with more diverse revenue streams and very little public funding) differ markedly to the funding of scientific departments in universities. We therefore recommend that research is undertaken to further understand these differences between subject areas, and any implementation by the RCUK fully takes into account these differences.

7.5 *Choose a much more robust licence.* The ability of the CC-BY licence to protect UK researchers and their IP is weakened by the use of the CC-BY licence. A licence to protect against the commercialisation of the content (without the author's consent) such as CC BY-NC would enable publishers to protect the author's work more effectively.

8.0 CONCLUSION

8.1 Emerald is grateful for the opportunity to contribute its comments on OA in the UK to the BIS Committee, and would be more than happy to take any further part in the inquiry should the committee wish to include it in its further investigations.

8.2 In summary, Emerald believes that due to the lack of information and guidance, as well as the speed of adoption of the Finch Report by RCUK, its implementation should be delayed until at least 2014. More specifically, clarity on the processes around APCs and licensing is of critical importance, in addition to the commissioning of research to further understand the differences between subject disciplines, especially those unique factors in the business, management and economic areas. Should these concerns be fully alleviated, the potential impact on the delicate balance between research and publishing that has enabled the UK to thrive on the global stage can be maintained, for the greater benefit of the UK Higher Education sector and the UK's interests as a whole.

Written evidence submitted by the European Group for Organization Studies

1. EXECUTIVE SUMMARY

1.1 EGOS supports the overall aim of opening up access to the results of academic research to the wider community.

1.2 However, EGOS argues that current policies (namely the Gold and Green routes) are being rushed through without sufficient discussion and without considering what changes need to be undertaken and with almost no consideration of the effects of implementing Open Access, especially for Humanities and Social Sciences (HSS).

1.3 There appears to be almost no consideration of the impact on Universities, research and publication in all Social Science subjects, where opening access could have unintended negative consequences in comparison to Science, Technology, Engineering and Medicine (STEM) subjects.

1.4 There appears to be no concerns given to the role of learned societies which are central to the development and growth of Social Science and Humanities subjects through their various (international) activities.

2. THE SUBMITTERS AND FACTUAL INFORMATION

2.1 The European Group for Organization Studies (EGOS) is a learned society comprising 2000 members, the vast majority of whom are academics who come from the majority of disciplines in Social Sciences and the Humanities (primarily Business Studies, Organization Theory, Sociology, Psychology, Philosophy, Politics, Law and History).

2.2 Nearly 30% of the membership is from the UK with the rest of the membership spread over virtually all the European countries, Australasia and the US/Canada. EGOS is the one of the largest and most active learned society in the world in its fields of study.

2.3 EGOS runs its own peer reviewed international journal “Organization Studies” which is a top rated scholarly journal; a member of the select Financial Times listing of journals and is published by Sage, one of the top academic publishers worldwide.

3. RECOMMENDATIONS FOR ACTION

3.1 The Government appears to have accepted the recommendations of the Finch Group Report (“Accessibility.....”) and has given priority to the Gold route without full consideration of the effects such implementation will have and what substantial changes would need to be made as a result of its implementation to scholarship, Universities, funding and international relations in academe.

Under current proposals limited funds are being made available to Universities to pay the costs of APCs (Article Processing Charges).

- We suggest that this funding is totally inadequate to support the current and future levels of publication and propose a re-think over a longer time period to satisfy all stakeholders that adequate funding is in place to cover the cost (without academics having to engage in competitive bidding processes in their own institutions).
- Further, we would ask the Government to reconsider its total acceptance of the Finch report and also take more time to consider the ramifications of its implementation.

3.2 RIGHTS OF USE AND RE-USE

3.2.1 The Creative Commons License (CC -BY) enables/encourages distribution, re-use and remixing of any published materials by any agency (so long as the authors are cited). Whilst this looks unproblematic, it also raises the likely possibility that original scholarly research becomes modified or taken out of context to suit commercial/media purposes, but still cites the original authors.

3.2.2 Given the above, we would suggest CC-BY should be abandoned (not least because authors may be associated with something they did not say or conclude from their research). CC-BY also raises questions over intellectual property rights which do not seem to have been taken account of in the current debate.

3.2.3 There seems to be a UK-centric approach which does not fit well with the highly international world of most academics. What should academics in the UK do when they are faced with trying to publish in non-UK journals and other outlets when those countries will have different (or no) OA procedures and policies? For example, many of our community publish in the top US journals (which are at the apex of quality in HSS)—but this is a country where there is, currently, no OA policy. The same applies to many continental European countries which are not OA compliant.

3.2.4 Overseas scholars wanting to publish in UK based journals (such as “Organization Studies”) will encounter difficulties because they will not have funds for APCs. This would imply that a parallel publishing model would have to be used alongside OA, whereby a substantial embargo period enables UK journals to go

about their international role. At a conservative estimate, this would affect over 50 highly rated UK journals (and considerably more if middle ranking journals are taken into account).

- We recommend that these questions are fully addressed and answered and we would advocate the adoption of Creative Commons Non-Commercial, Non-Derivative License(CC-BY-NC-ND) which would preclude the reuse, editing and commercial exploitation of published material.
- We further recommend that a full investigation is carried out to ascertain the extent to which Gold OA is operable in other countries in the world so that UK research remains competitive.

3.3 FINANCIAL IMPLICATIONS AND COSTS:

3.3.1 The bulk of published research in the Humanities and Social Sciences (HSS) does not emanate from RCUK funded research grants. The majority of individual scholars will have to find funds to publish their work and this is unlikely to be fully covered by their institutions. Consideration needs to be given to how institutions will fund APCs and, in any transition period, how funding will be made available from QR grants to all institutions (not just the 30 research intensive Universities). In most Universities, scholars will find it harder rather than easier, to publish their work because of financial constraints (their own or imposed by their institution).

3.3.2 Universities will have to create and implement decision criteria over who is published, in which journals. Scarce resources (many Universities will receive little or no extra funding) mean that some areas of scholarship and some journals are favoured over others (to the detriment of the disciplines). What gets published and by whom will suffer. This is also a breach of academic freedom, because it will force scholars into an internal competition for funds. There is also the question of who is qualified in Universities to make such decisions and on what criteria.

3.3.3 Early career researchers, Doctoral and Postdoctoral students and Emeriti staff are likely to find it difficult to obtain funding to publish and this will exclude research active retired staff and hinder the academic development of the younger generation of scholars.

4. CONCLUSION

4.1 Further consultation is needed both with Learned Societies, Publishers and Universities. Rather than rush through a Gold OA model (and perhaps regret it later) more time needs to be taken to consider the above points (and more).

4.2 There is no single catch-all OA approach which will work easily for both the HSS and STEM, and across Europe and beyond. Therefore, further consultation should consider the different needs of academic communities and diverse academic traditions, and adapt the OA criteria accordingly.

4.3 OA needs to be considered alongside the REF, Research Council and QR funding mechanisms and it is highly likely that significant changes will follow the 2014 REF (which will have implications for what is considered to be publically funded research).

4.4 OA encourages the use (by some) of original research for commercial purposes. These could include possible exploitation of original work for the benefit of specific agencies directly, or indirectly where for-profit providers of degree programmes have full access to original research which they can edit and alter at will to suit their commercial ends.

4 February 2013

Written evidence submitted by The Fisheries Society of the British Isles (FSBI)

EXECUTIVE SUMMARY

1. The Fisheries Society of the British Isles (FSBI) is a learned society based in the U.K. supporting scientific activity in fish biology and fisheries management through charitable sponsorship. Our work is almost entirely dependent on income generated through scientific publishing and we have concerns that the financial uncertainty for learned societies that is likely to arise from current Open Access proposals has not been adequately taken into account. We recommend in particular that consideration is given to lengthening the short 6 months embargo currently proposed under Green Open Access. We also recommend that every effort is made to ensure full and proper consultation with learned societies and other key stakeholders.

BRIEF INTRODUCTION TO FSBI

2. The Fisheries Society of the British Isles (FSBI, www.fsbi.org.uk) is a learned society based in the U.K., although also operating internationally, supporting scientific activity in the field of fish biology and fisheries management through charitable sponsorship. Membership is open to anyone interested in these objectives. We are registered in the U.K. as a charity (Number: 256475) and are affiliated to the *Society of Biology* and the *Society for Science and Technology*.

3. FSBI is a significant funder of research into freshwater and marine fish biology in the U.K. and elsewhere, including associated educational and outreach activities. In addition to funding highly competitive and highly valued PhD studentships, we also award research grants, travel grants and paid internships. Each year we hold a subsidised international research symposium and in 2012 we also hosted and substantially sponsored the 6th World Fisheries Congress in Edinburgh. We have published the international peer-reviewed *Journal of Fish Biology* since 1969. Currently, we publish this respected journal in association with Wiley ([http://onlinelibrary.wiley.com/journal/10.1111/\(ISSN\)1095-8649](http://onlinelibrary.wiley.com/journal/10.1111/(ISSN)1095-8649)).

FACTUAL INFORMATION

4. Like many other learned societies, FSBI is extremely dependent on income from publishing in order to fund its charitable objectives. Although we hold investments and have an appropriate reserves policy, we have few other feasible options for fund raising and so direct publishing income remains critical to our activities. For example, in 2011 this source accounted for 88% of our total income and we anticipate a similar contribution for 2012 and into the future. As charity trustees, if our Council has good reason to anticipate a significant increase in income uncertainty then our prudent course of action has to be a significant curtailment of our charitable activities. Given that the latter involve several studentship commitments each of over 3 years, we necessarily have to err on the side of caution.

RECOMMENDATIONS FOR ACTION

5. Most individual FSBI members are aware of the research implications of the Open Access initiative through their personal employment positions and can broadly welcome it. However, as an organisation FSBI has concerns that the implications of the likely resulting financial uncertainty for many learned societies have not been adequately taken into account.

6. In particular, the income-generating consequences for learned societies and their publishers of the short 6 months embargo proposed under Green Open Access seem particularly difficult to predict. We recommend that consideration is given to significantly lengthening this period.

7. We also recommend that every effort is made to ensure full and proper consultation with learned societies and other key stakeholders.

Ian J Winfield, Honorary President

7 February 2013

Written evidence submitted by Frederick J Friend

This evidence is submitted on an individual basis, using experience of scholarly communication gained as library director of two UK university libraries and knowledge of open access gained as member of the 2002 Budapest Open Access Initiative, as a Scholarly Communication Consultant for JISC, and as an Independent Expert for the European Commission.

BIOGRAPHICAL INFORMATION

Fred Friend studied history at Kings College London, obtained a postgraduate library qualification at University College London, and then began his library career in Manchester University Library. After Manchester he moved to the University of Leeds and then to the University of Nottingham before obtaining his first library director post at the University of Essex. This was followed by a move to University College London, where he was library director for 15 years before starting a new role as Honorary Director Scholarly Communication, leading to involvement in the international open access movement. Fred is one of the authors of the Budapest Open Access Initiative and worked for JISC for several years as their Scholarly Communication Consultant. More recently Fred has undertaken consultancy work for the European Commission and for Knowledge Exchange.

A FLAWED REPORT FOLLOWED BY A HASTY POLICY DECISION

1. In announcing its decision less than one month after the publication of the Finch Report the Government acted too hastily in accepting the first Finch Recommendation that “a clear policy direction should be set towards support for publication in open access or hybrid journals, funded by APCs, as the main vehicle for the publication of research”.

2. The haste of the decision did not allow for consideration by academic organisations and institutions of the implications of the Recommendation, of which warnings had appeared in the Finch Report itself.

3. In the *text* of the Finch Report, in contrast to the Recommendation, the policy direction was not presented as being clear-cut: “We have noted in our discussion of the success criteria outlined above that each of them could be met in a number of different ways: **none of them points unambiguously in one direction.**” (Finch Report para 6.31.)

4. The Finch Report also drew attention to the importance of a common world-wide policy if its principal Recommendation was to be cost-effective for the UK taxpayer: “*If as a result of measures to accelerate the transition to open access publishing, the level of take-up were to be significantly higher in the UK than in the rest of the world, there is the risk that the UK, and the HE sector in particular, would bear significant costs, while reaping only some of the benefits.*” (Finch Report para 7.19.)

5. This warning was ignored by the UK Government in its acceptance of the Finch Recommendations.

THE EFFECT OF THE UK GOVERNMENT POLICY UPON UK TAXPAYERS AND AUTHORS

6. The importance of the world-wide open access movement in forming the most cost-effective policy for the UK has been confirmed through the research of Professor John Houghton and Dr Alma Swan: “*In an all-OA world, it seems likely that the net benefits of Gold OA would exceed those of Green OA, although Green OA would have a higher benefit/cost ratio. However, we are not in an all-OA world yet, nor anywhere near it. The most affordable and cost-effective means of moving towards OA in the meantime is through Green OA, which can be adopted unilaterally at the funder, institutional, sectoral and national levels at little cost. Moreover, Green OA may well be the most immediate and cost-effective way to support knowledge transfer and enable innovation across the economy.*” (Houghton, J and Swan, A. “Planting the green seeds for a golden harvest” *DLib Magazine*, vol 19 no1/2 (2013).

7. The Houghton/Swan research confirms the importance of combining a strong repository-based policy with a strong open access journal policy, rather than declaring a “clear policy direction” in favour of open access journals.

8. It is the cost-effective dual “green/gold” approach that has been the basis of open access policies across the world (including the UK) and appears likely to remain so in all countries except the UK.

9. The long-term effect upon the UK taxpayer of funding a more expensive route to open access will be increased by the Government’s failure to require publishers with five-year contracts to supply journals to university libraries to use their 30%–40% profits to fund the transition. During the transition period envisaged in the Finch Report the UK taxpayer may be paying twice for journal content, once through library subscriptions and secondly through APCs.

10. The UK’s requirement for publication in open access journals will complicate the position of UK authors publishing in US journals, many of which do not use an APC-funded business model, being accustomed to the policies of US funders requiring deposit in large repositories.

11. As the Government has not funded the entire cost of the policy it has decided upon, many authors will have to seek funding for APCs from their HEIs, and this will place science authors in competition with humanities authors, possibly to the detriment of the latter.

CONCLUSION: A MISSED OPPORTUNITY

12. The UK Government rightly recognised the value of open access to the UK economy, UK business, the UK research base and the UK taxpayer, but crucially chose a route to open access which will only benefit the powerful international science publishers dominating the journals market.

13. Through loss-leader pricing of APCs the big publishers can still maintain their share of the journals market and stifle innovation in the market. Small society publishers will not have the financial strength to compete in an open access market with the publishers who currently dominate the subscription market.

14. The Government has failed to recognise the potential for beneficial changes from technological developments in the dissemination of publicly-funded research, changes which will lead to new and more cost-effective business models. In this process of beneficial change institutional and subject repositories as well as society publishers can play a major role.

15. The side-lining by the Government of the repository route to open access threatens to lose an opportunity to develop UK repositories and make them as valuable as the big international repositories such as arXiv. (N.B. Such repositories have existed side-by-side with journals for many years.) Many repositories hold peer-reviewed copies of journal articles identical to the published version except for the publisher’s copy-editing, and access to UK research could have been improved by adding citeable metadata to such content.

16. If the UK Government wishes to move as quickly as possible to an OA environment in collaboration with the rest of the world, developing new technological and business models, UK researchers should be required to deposit their work in an open access repository, with APCs only being paid to journals demonstrating cost-effectiveness for the UK taxpayer.

Frederick Friend
Honorary Director Scholarly Communication UCL

7 February 2013

Written evidence submitted by The Geological Society of London

1. The Geological Society is the UK's learned and professional body for geoscience, with more than 10,500 Fellows (members) worldwide. The Fellowship encompasses those working in industry, academia and government with a broad range of perspectives on policy-relevant science, and the Society is a leading communicator of this science to government bodies and other non-specialist audiences. It organises research conferences and public information meetings, and is a globally significant not-for-profit geoscience publisher producing about 11,000 pages of peer reviewed content annually. These are disseminated online and in hard copy through four journals which we own in whole or in part, and three which we publish on behalf of smaller kindred societies; and as books, principally the highly acclaimed Special Publications series (state-of-the-art collections of papers on cutting edge areas of geoscience) and Memoirs.

2. The Geological Society supports the principle of Open Access (OA), and believes that publications based on publicly funded research should be made as widely available as reasonably possible. It welcomes the recommendations of the working group led by Dame Janet Finch, which reported in 2012. It is vital that implementation of OA be planned carefully; and that it be carried out on a timescale which allows authors, funders and publishers to understand clearly what is proposed, and to modify their business models and research and publication practices accordingly. There is significant risk of disruption and possibly irrevocable damage to the UK's complex research system if insufficient attention is paid to possible unintended consequences of policy changes, or if these changes are not well understood by all stakeholders, or if they are introduced too rapidly for stakeholders to prepare adequately.

3. Our interest in Open Access is both as a publisher, and as a learned society representing a significant UK research community. We are a member of the Association of Learned and Professional Society Publishers (ALPSP), and have seen the ALPSP submission to the present inquiry, which we support. That submission is helpful in setting out many of the functions which learned society publishers carry out (and hence the costs they incur), as well as some of the important roles of learned societies in the broader research system.

THE GOVERNMENT'S ACCEPTANCE OF THE RECOMMENDATIONS OF THE FINCH GROUP REPORT

4. In her evidence to the House of Lords Science and Technology Committee on 15 January 2013, Dame Janet recognised the potential financial risk to some learned society journals, and the need to give learned societies sufficient time to adjust. It is not only societies' publishing programmes that are at stake. Rather, many societies including the Geological Society depend on modest surpluses generated by publishing to fund many of the other activities they support, which contribute significantly to academic, professional and public life in the UK. In our case, these include studentships, research grants, travel bursaries, reduced conference registration fees for students and academics, extensive public outreach and education programmes, and provision of geoscience advice to policy-makers. If publishing surpluses are eroded more quickly than we can substitute them with alternative income streams, continuation of these activities will be at risk.

5. We are very concerned that the Research Councils (RCUK) are introducing their OA policy at such short notice, especially as there is widespread confusion regarding aspects of this policy, both among publishers (including ourselves) and academic researchers in the geoscience community which we represent. In order to remain competitive as a publisher to UK geoscience academics, we are having to settle now on a new business model and publicise this to our community rapidly, based on very partial information and a high degree of uncertainty as to how researchers' publishing behaviour will respond to the new RCUK policy.

6. The Finch Report recommended caution with regard to Green OA embargo periods, and government supported this approach in its response to the report. For journals which do not offer Gold OA, RCUK will require embargo periods to be no more than six months (in science and engineering subjects). This appears to be inconsistent with government's statement that suitable embargo periods in these subject areas could be up to 12 months, and with the Finch Report's recommendation that it would be unreasonable to impose an embargo period of less than 12 months where APC funding is not available. It is not clear what conditions will be placed on embargo periods of any journals which accept both Gold and Green OA papers.

7. As recently as 29 January, the chair of RCUK reportedly told the House of Lords Science and Technology Committee that RCUK intends to be 'relaxed' about policing their stated policy on Green OA embargo periods for the first five years (see <http://www.timeshighereducation.co.uk/story.asp?sectioncode=26&storycode=422563>). While this apparent relaxation of the policy is welcome, RCUK's new position is far from clear, adding to publishers' and researchers' confusion. We are not aware of any subsequent announcement from RCUK regarding what embargo period they will enforce during this time, if any.

8. In considering what embargo period is appropriate, it is important to recognise that the effective 'half-life' of published research (judged by citation and other measures of use) varies greatly, not just between natural science, social science and humanities, but also among natural science disciplines. In much of geoscience, research often remains current and relevant for many decades, while in biotechnology, for instance, this is very rarely the case. If embargo periods are as short as six months, libraries may be more likely to pay subscriptions for journals in subject areas with a shorter half-life, where the perceived value attached to immediate access to content may be greater.

RIGHTS OF USE AND RE-USE IN RELATION TO OPEN ACCESS RESEARCH PUBLICATIONS, INCLUDING THE IMPLICATIONS OF CREATIVE COMMONS “CC-BY” LICENCES

9. Some researchers among our Fellowship have raised concerns at the loss of control of intellectual property which will ensue from publishing under CC-BY licences. This is consistent with the concerns raised by ALPSP in their submission about the suitability of such licences for research publications.

THE COSTS OF ARTICLE PROCESSING CHARGES (APCs) AND THE IMPLICATIONS FOR RESEARCH FUNDING AND FOR THE TAXPAYER

10. Despite the announcement of RCUK’s policy in July 2012, and announcements regarding funding mechanisms later in the year, it is not clear to us how institutions will administer and make decisions about how to distribute funds provided to pay for Gold OA Article Processing Charges (APCs). What is clear is that the funds allocated by RCUK to pay for APCs will not be nearly sufficient to pay for publication of all research papers resulting from RCUK-funded research. Most institutions will hold insufficient funds to cover APCs for their full research output, and many authors will therefore be obliged to publish their work under Green OA terms. In an effort to maintain both the quality and quantity of papers we publish, we will therefore be offering both Gold and Green OA publishing options from 1 April 2013, although we have little idea of what the uptake of either option will be, nor of any impact there may be on income from subscriptions to our journals and book series as a result of some of their content becoming freely available.

11. Whatever system and criteria universities use to distribute the funds available to pay for APCs, the additional layer of bureaucracy that this will necessitate is a highly inefficient use of scarce public resources. These funds should be distributed directly to researchers by the Research Councils, by including them in research grants.

12. It is incumbent on RCUK to ensure that researchers fully understand their obligations, and the choices available to them. Authors and publishers urgently need to know how funds will be apportioned and accessed, in order for the UK’s scholarly publishing system to operate with the minimum of confusion, disruption and delay. In particular, papers without APC funding will need to be identified as such prior to submission to the publisher. With less than two months remaining before RCUK’s mandate comes into force, it is not clear how this will be done.

CONCLUDING REMARKS

13. We were pleased to note that Dame Janet’s committee included representatives of three learned societies—the Institute of Physics, the Society of Biology and the Royal Geographical Society. Although all are relatively large institutions, the committee’s recommendations reflect an understanding that learned societies differ widely, and the challenges and impacts of OA are likely to vary significantly depending on societies’ size and subject area. For instance, larger societies may benefit from greater economies of scale, allowing them to offer APCs more competitive with those of large commercial publishers. They may also be better able to fund innovative business initiatives to attract researchers to publish with them.

14. Dame Janet’s report recognised the potential risks to learned societies of implementing OA without due care and attention, and with insufficient time for societies to adjust, and she has subsequently reiterated the importance of these considerations. David Willetts also recognised these potential risks, and the importance of avoiding them, in correspondence with the Geological Society in July 2012. Nonetheless, as set out above, we have serious concerns on exactly these grounds regarding the way in which RCUK has sought to implement government’s recommendations regarding OA. In common with many other learned societies, we are doing our best to adapt our business model during this rapid transition, but the impact it will have on us is highly uncertain. It is essential that the effects on researchers and on learned societies are carefully monitored.

15. Despite the central role that publishers will play in enabling authors to comply with RCUK’s mandate, we are aware of little if any direct communication between RCUK and publishers, including learned societies, as it has developed and communicated its policy. Anecdotal evidence from academic geoscientists indicates that they and their institutions have similarly struggled to establish meaningful dialogue with RCUK regarding development and implementation of its policy.

Written evidence submitted by Professor Abby Ghobadian, Professor Yehuda Baruch and Professor Mustafa Özbilgin

- We welcome the opportunity to make a submission to the Committee’s inquiry into the Governments Open Access policy. The policy has broad and significant ramifications and it is imperative that the government makes the right choices after considering diverse opinions.
- The respondents have or are editing important management journals, have or are managing research in different types of institutions, have international experience, and are active in the UK and USA learned societies. Our comments are particularly relevant to the area of business and management studies, thus to Business Schools/Schools of Management. Business Schools are a success story within a strong higher education sector.
- We whole heartedly agree with and endorse the principles and motivation underpinning the policy but we argue that if implemented, the policy will lead to many unintended, harmful consequences. We have strong reasons to believe that the cure is worse than the disease. We also put forward a number of suggestions which will enable BIS to create more efficient access to output of journals.
- Publishing is a global business both in terms of supply and demand. Publishers are also global business. The OA proposal makes more sense if it was adopted concurrently by all the key global players, including the USA. As the situation stands there is no guarantee or a clear timetable that other leading countries and institutions will embrace OA. Current state suggests the opposite—for example, where scholars aim to publish their best work. This is one of those occasions that there is no advantage to be gained by being the first mover. In fact, the open access is likely to damage UK’s competitive resulting in smaller number of universities making the top 200 universities, fewer business schools making the FT top 100 MBAs etc. This is because it makes it more difficult for the UK academics to publish in top journals due to the copyright clearance demanded by UK institutions and reluctant of say the US journals to offer the required copyright.
- Under the OA, payment is not eliminated. The proposal shifts the burden of payment from reader to researcher. The cost to researcher will be much greater than the cost to readers. And the money if available still comes off the public purse. Witness allocation of £30 million by HEFCE to 30 universities and of course other universities have to find the necessary resources. So tax payer still pays but the money comes from a different purse.
- Passing the burden of payment to researchers will invariably result in a selection process and a form of rationing. This will disproportionately affect women, ethnic minorities, mid-career academics which in turn will amplify inequalities.
- The proposal will disadvantage universities with poorer resources and disproportionately advantage the resource rich universities.
- The criteria for acceptance decision by journals should be based on the added knowledge, not on the ability to make money.
- The proposal is likely to strengthen the top journals, many of which are Americans, and weaken the typically mid-tier Europeans journals. This in turn will result in closure of many journals which are more likely to publish innovative research drive out innovation in favour of orthodoxy.
- The proposal as currently stands and without wide international adoption is likely to increase the profitability of top publishers. This with concomitant demise of second and third tier journals will give a few publisher greater market power.
- There is no evidence that access by industry and commerce is a problem. Single articles can be purchased for as little as \$30 by any interested user. Furthermore, a significant proportion of penultimate version of peer refereed journal articles are published in OA format. The lack of access is more due to know-how (how to access and find information), interest, and style of academic writing. The rigour requirement compels academic to devote considerable space to research methodology, literature review. Harvard Business Review is read by many managers but top journals such as AMJ are untouched by managers. Part of the reason is contrasting styles. So we do not believe OA will create a more effective bridge between practice and scholarship.
- We believe that the bridge between scholarship and practice can be best served by encouraging publishers to publish research digest providing a short summary of how the research can be used for the benefit of practice and publish these on clearly signposted repositories with effective search tool, better and more extensive use of social media, short clips on YouTube where researchers speak briefly about the application of their research, more extensive use of white papers, etc.
- We also believe by changing the rules of REF and requiring 1 submission out of four (and four outputs within 5 or 6 years is too narrow to reflect on the quality of researchers, not to speak of the irrelevance of the current REF system to represent the quality of the institutions, as most business schools opt to submit a small fraction of their staff) to address practitioner audience, greater incentive for developing industrial links, breaking barriers and mutual suspicion between academics and practitioners is a better and surer bet to ensure effective and timely flow of information.

- In conclusion we do not believe OA will achieve the desired aim. We also believe it will actually harm the UK HE by making it less competitive, it will drive out innovative research, and it will increase inequality in the higher education.

Abby Ghobadian—Henley Business School

Yehuda Baruch—Rouen Business Schools

Mustafa Özbilgin—Brunel Business School

7 February 2013

Written evidence submitted by Tony Hey

I am giving my opinion based on my experience as a UK academic for 30 years, and as an ex-Head of Department and Dean of Engineering at the University of Southampton.

INTRODUCTION

My submission begins with a summary of my experience with the arXiv repository. This is a very successful example of a ‘green’ open access, research repository that is universally used by the physics research community on a daily basis. This is followed by a brief description of the ‘serials crisis’ over research journal subscriptions that is a reality for university libraries the world over. The next section summarizes my experience at the University of Southampton and how the University set up a research repository managed by the University Library. The thought-leading role of JISC in exploring the implications and practicalities of Institutional Repositories is then discussed. The final section reviews the recommendations of the Finch Committee and RCUK and argues that these are both flawed and short-sighted. One can argue about the wisdom of giving additional funds to publishers to make changes they should have already been making several years ago. However, the key issue is for RCUK to amend its policy deprecating green open access. RCUK should require RCUK-funded authors to make an immediate, full-text deposit of their research papers in their university repository.

A SUCCESSFUL GREEN OPEN ACCESS REPOSITORY FOR OVER TWENTY YEARS: ARXIV

In the 1960’s—in the days of typewriters—physicists typed up their research papers, made 100 copies or so, and submitted the original typescript to Physical Review, Nuclear Physics or whatever journal we wanted. The copies were sent to ‘peer’ university physics research groups around the world and were known as ‘preprints’. While the paper to the journal was undergoing refereeing, the preprint system allowed researchers to immediately build upon and refer to work done by other researchers prior to publication. This was the preprint tradition in the physics. When paper was accepted for publication, the references to other preprints that had since been published were usually updated in the published version. With the advent of the Internet and the World Wide Web, theoretical physicist Paul Ginsparg set up a web site that saved physicists both the postage and the trouble of circulating preprints. The electronic version of the preprint—inevitably called an e-Print—is submitted to a journal and simultaneously posted to the arXiv website (<http://arxiv.org/>). This is now the standard method of scholarly communication of a very large fraction of the physics, astronomy and mathematics communities.

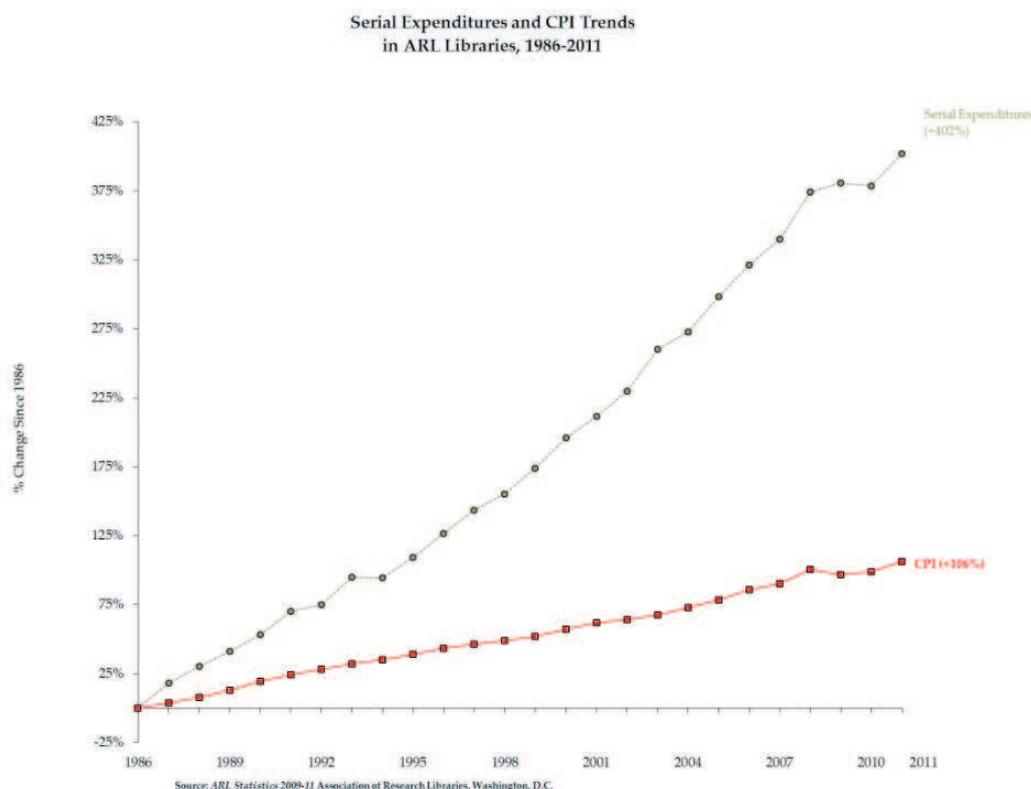
The arXiv repository is now over 20 years old and has a submission rate of over 7,000 e-Prints per month and full text versions of over half a million research papers are available, free both to researchers and the general public. More than 200,000 articles are downloaded from arXiv each week by about 400,000 users. Most, but not all, of the e-Prints are eventually published in a journal and this amounts to a sort of post-publication ‘quality stamp’. The apparent drawback of multiple, slightly different versions of a paper turns out not to be a serious drawback in practice. Citation counts for high energy physicists usually count either the e-Print version or the public version. A detailed study of the arXiv system by Anne Gentil-Beccot, Salvatore Mele and Travis C. Brooks is published as “Citing and Reading Behaviours in High-Energy Physics. How a Community Stopped Worrying about Journals and Learned to Love Repositories”. The paper is, of course, available as arXiv:0906.5418.

In the terminology of today, arXiv represents a spectacularly successful example of an immediate deposit, “Green Open Access” repository. Green Open Access allows researchers to continue to publish in refereed, subscription-based journals but also self-archive versions of their papers either in subject-based repositories—as the physics community does in arXiv—or in institutionally-based repositories. Despite green OA approaching the 100% level in Physics, both the American Physical Society and the Institute of Physics have said publicly that they have seen no cancellations they can attribute to arXiv and green OA. In addition, the Nature Publishing Group has said openly that “*author self-archiving [is] compatible with subscription business models*”.

THE SERIALS CRISIS AND UNIVERSITY LIBRARIES

As a Head of Department and Dean at the University of Southampton I was responsible for monitoring the research output of my Department and Faculty. However, it is a fact that university libraries can already no

longer afford to subscribe to all the journals in which university faculty, postdocs and graduate students choose to publish. The reason for this problem is well-known to librarians—it is the so-called “serials crisis”. This crisis is dramatically illustrated below in a graph from the North American Association of Research Libraries that shows the relative growth of serial expenditures versus the consumer price index over the past twenty-five years.



This is a typical expenditure curve for all university libraries. It was for this reason that the Library at the University of Southampton sent out a questionnaire each year asking staff which journals they would least mind cancelling. Yet the serials crisis is a curious sort of crisis in that most research staff are often unaware of the problem. They feel free to publish in whatever journal is most appropriate for their research and see no reason to restrict their choice to the journals for which the University can afford subscriptions.

Let me give three anecdotal examples of the serials crisis:

- In 2007 the University of Michigan’s libraries cancelled about 2,500 journal subscriptions because of budget cuts and the increasing costs of the subscriptions.
- In 2008, Professor Stuart Sheiber of Harvard explained ‘*that cumulative price increases had forced the Harvard library to undertake “serious cancellation efforts” for budgetary reasons*’.
- In 2009–2011, the UC San Diego Libraries continued to cancel journal subscriptions because of budget cuts and increasing costs of subscriptions. Around 500 titles (\$180,000 worth) were canceled in FY 2009–10, and about the same number in FY 2010–11. It was also forced to close several of its satellite libraries.

In fact, any research university library around the world has a similar story to tell. When even such a relatively wealthy university as Harvard has problems with journal subscription increases, surely it is time to take note.

THE SOUTHAMPTON EXPERIENCE

It is my firm belief that each research university needs to establish and maintain its own open access “institutional repository” covering all the fields of research pursued by the university. At Southampton, in the Electronics and Computer Science Department, with colleagues Les Carr, Wendy Hall and Stevan Harnad, we established a Departmental Repository to capture the full text versions of all the research output of the Department to assist us in monitoring and assessing our research impact. A graduate student in the Department, Rob Tansley, worked with Les Carr and Stevan Harnad to develop, in 2000, the EPrints open source repository software. Robert went on to work for Hewlett-Packard Laboratories in the US and wrote the DSpace Repository software in collaboration with MIT. The EPrints and DSpace repository software are now used by many hundreds of universities around the world. For a full list of repositories and software see: <http://roar.eprints.org/>

As Dean of Engineering at Southampton, I used the example of the EPrints repository in Electronics and Computer Science as a model for the entire Engineering Faculty. By the time I left Southampton, this had only partially been implemented, but by 2006 the University had mandated that full-text versions of all research papers from all departments must be deposited in the “ePrints Soton” repository. In 2008, this mandate was extended to include PhD and MPhil theses. The Southampton mandate reads:

The University of Southampton is to make all its academic and scientific research output freely available. A decision by the University to provide core funding for its Institutional Repository establishes it as a central part of its research infrastructure, marking a new era for Open Access to academic research in the UK. Until now, the databases used by universities to collect and disseminate their research output have been funded on an experimental basis by JISC (the Joint Information Systems Committee). The University of Southampton is the first in the UK to announce that it is transitioning its repository from the status of an experiment to an integral part of the research infrastructure of the institution. Southampton established its repository (<http://eprints.soton.ac.uk/>) in 2002 as part of the JISC TARDis project (Targeting Academic Research for Deposit and Disclosure), to explore issues surrounding the Open Access paradigm. The repository provides a publications database with full text, multimedia and research data. The Southampton repository will now become a service of the University Library in partnership with the University's Information Systems Services and its School of Electronics and Computer Science (who host the JISC-funded software development team).

The University of Southampton will require that all of its staff deposit, wherever practicable, all of the outputs resulting from their research in the “eprints@soton” institutional repository.

Staff will also be encouraged to provide, wherever possible, open access to these deposited research outputs in a manner that is consistent with the policy of the publisher of the output.

For more details of Southampton’s research repository, managed by the University Library, see: <http://www.southampton.ac.uk/library/research/eprints/>

Why is all this important? It is important because the present scholarly communication model is no longer viable. While many journal publishers do perform a valuable service in arranging peer review and in publishing high quality paper and online journals, the unfortunate truth is that universities can no longer afford the costs of the publishers’ present offerings. For example, it was not possible for me as Dean to establish a new research area in the Faculty and have the library purchase the relevant new journals. In such an unsustainable situation, it is obvious that we need to arrive at a more affordable scholarly publishing model. University research librarians now need to be proactive and fulfill their key role as the “guardians of the intellectual output” of their university’s researchers. It is the university library that has both the resources and the expertise to maintain a university’s research repository.

Establishing a university research repository is not just an academic exercise. Managing the university’s research repository is increasingly becoming a major part of the university’s “reputation management” strategy. Studies of arXiv have shown there to be a significant citation advantage for papers first posted in arXiv, and subsequently published in journals, compared to papers just published in journals (arXiv:0906.5418). Similarly, it is likely that versions of research papers that are made freely available through an institutional repository will also acquire a citation advantage—although this conclusion is currently debated. Nevertheless, like it or not, universities will increasingly be evaluated and ranked on the published information they make available on the Web. For example, the Webometrics Ranking of World Universities takes account of the “visibility and impact” of web publications and includes both an “openness” and an “excellence” measure for research repositories and citations (<http://www.webometrics.info/>).

JISC AND INSTITUTIONAL REPOSITORIES

In the UK, the JISC organization has long pioneered the exploration of different models of open access and, in particular, the role of institutional repositories. Although JISC’s future is now somewhat uncertain because of the recent change in its funding status to that of a charity, JISC is widely seen internationally as a major innovator in the use of advanced ICT in Higher Education. In Europe, only the Dutch SURF organization can match the breadth and originality of JISC programs. Such an innovative “*applied research*” funding agency is lacking in the US—although the role of JISC is partially met by organizations such as the Mellon Foundation.

JISC has funded a large number of applied research projects exploring different aspects of open access repositories. From 2002 to 2005, the JISC FAIR Program—Focus on Access to Institutional Repositories—funded projects like the SHERPA project at Nottingham and the TARDis project at Southampton. From 2006 to 2007, the JISC Digital Repositories Program funded another 20 projects, including the OpenDOAR project—a Directory of academic Open Access Repositories—and the EThOS project—to build a national e-thesis service. JISC have also funded a Repository Preservation Program which included the PRESERV project at Southampton that looked at preservation issues for eprints.

Thanks to pioneering investigations funded by JISC, the UK has had a vibrant and active ‘research repository community’ for over a decade. The ROAR site currently lists 250 UK university repositories. It was unfortunate that the “Working Group on Expanding Access to Published Research Findings”—better known as the Finch Committee—seem to have chosen to ignore much of this seminal work.

RECOMMENDATIONS OF THE FINCH COMMITTEE AND RCUK ON OPEN ACCESS

The UK Government has adopted an explicit commitment to openness and transparency <http://www.cabinetoffice.gov.uk/transparency> In the context of research, this has been interpreted as making the results of “publicly funded research” open, accessible and exploitable. The Government’s belief is that open access to research results will drive innovation and growth as well as increasing the public’s trust in research. With laudable intent, the Government set up the Finch Committee to explore how best the UK could “expand access to published research findings”. Unfortunately for the outcome in my opinion, conventional scholarly publishers were the best represented stakeholder group on the Committee which consisted of five publishers, four researchers or university administrators, three funders and two librarians. The majority of the “Finch Report” recommendations were accepted by Minister David Willets and a version of them promulgated by the combined Research Councils organization, RCUK in July 2012. The RCUK policy can be summarized as follows (quoting Peter Suber’s SPARC Open Access Newsletter, September 2012, issue #165): <http://legacy.earlham.edu/~peters/fos/newsletter/09-02-12.htm>

- RCUK-funded authors ‘must’ publish in RCUK-compliant journals. A journal is RCUK-compliant if it offers a suitable gold option or a suitable green option. It need not offer both.
- To offer a suitable gold option, a journal must provide immediate (un-embargoed) OA to the version of record from its own web site, under a CC-BY license, and must allow immediate deposit of the version of record in an OA repository, also under a CC-BY license. It may but need not levy an Author Processing Charge (APC).
- To offer a suitable green option, a journal must allow deposit of the peer-reviewed manuscript (with or without subsequent copy-editing or formatting) in an OA repository not operated by the publisher.

To compensate the publishers—or, in the view of the Finch Committee, give them time to move their business models to accommodate the new open access world—the Finch Report advocates increasing funding to publishers “*during a transition period*” by establishing *2publication funds within individual universities to meet the costs of APCs*. In addition, the report also explicitly deprecates the use of institutional repositories by effectively relegating them to only providing “*effective routes to access for research publications including reports, working papers and other grey literature, as well as theses and dissertations*”.

First and foremost, we should all applaud the group for its robust statement in favor of open access:

“the principle that the results of research that has been publicly funded should be freely accessible in the public domain is a compelling one, and fundamentally unanswerable.”

Similarly, the Committee is equally forthright about its intent to induce change in the scholarly publishing industry:

“Our recommendations and the establishment of systematic and flexible arrangements for the payment of APCs will stimulate publishers to provide an open access option in more journals.”

Minister David Willets has endorsed this goal and told the Publishers Association that:

“To try to preserve the old model is the wrong battle to fight.”

Let me be clear, these statements represent huge progress for the Open Access movement in the UK. The Government is to be commended on its stance on openness. Unfortunately, I feel that the Finch Committee—and RCUK—missed a key opportunity by not supporting mandated green open access repositories in addition to supporting gold OA.

A major problem with the Finch and RCUK endorsements of gold OA as the preferred route to open access—and their explicit deprecation of green OA—is that the proposed interim settlement is unreasonably generous to the publishers at the expense of the UK Research Councils and HEFC-funded UK universities. By giving publishers the choice of being paid for gold OA or offering an unpaid green OA option, it is clear that many publishers will surely just cancel their green option and opt to pick up more money by introducing a gold option. Their shareholders would demand no less. Even the majority of OA publishers who currently charge no APC fee—contrary to the assumptions of the Finch Group—will be motivated to pick up the money on the table. Similarly, publishers who now only offer Toll Access via subscriptions will be quite happy to pick up more money by offering a gold OA option in addition to their subscription charges.

The serials crisis referred to above means that universities are already unable to afford the subscriptions to Toll-Access journals that the publishers are offering. To now offer them more money to effect change that they should have initiated over a decade ago seems to me to make little sense. Instead of making such generous accommodations for the interests of publishers, the Finch Group should surely have looked at the problem purely from the point of view of the public interest. Now that publishers receive articles in electronic form, and research papers can be disseminated via the Web effectively at zero cost, what have publishers done in the last fifteen years or more to adapt their business models to these new realities? The answer is that they have raised journal prices by far more than the rise in the cost of living. *It is this rise in subscription costs that has resulted in subscription cancellations—not competition caused by the availability of articles in green open access repositories.*

There is much concern in the Finch Report for Scholarly Society publishers. In fact a survey in December 2011 showed that 530 scholarly societies currently publish over 600 OA journals. While it is true that some societies use subscription prices to subsidize other member activities, this need not be the case. Similarly, the American Association for the Advancement of Science (AAAS)—who publish “Science”—also “endorse the green-mandating NIH policy” of the US National Institutes of Health. And as we have seen, the American Physical Society and the Institute of Physics have learned to live with arXiv.

CONCLUSION

What is needed now is some leadership from RCUK. In my opinion, RCUK can make a small but significant change in its open access policy by adopting a rights-retention, green OA mandate that requires “*RCUK-funded authors to retain certain non-exclusive rights and use them to authorize green OA*”. In the words of Peter Suber, this would “*create a standing green option regardless of what publishers decide to offer on their own.*” In addition, RCUK should require that universities follow a policy similar to the Open Access policy of Harvard, as set out by their Office of Scholarly Communication http://osc.hul.harvard.edu/authors/policy_guide. This policy requires Harvard authors to immediately deposit a full text version of their paper in the Harvard Open Access Repository even in the case where the publisher does not permit open access. In this case, if the author is unable to obtain a waiver from the publisher, the paper will not be available under open access or at least not until an embargo period has expired.

The scholarly publishers have had plenty of time to read the writing on the wall. They have shown their intransigence to adjust to the new reality for more than fifteen years. It seems manifestly unreasonable to give them a very significant amount of more money and more time to explore changes that they should have been exploring fifteen years ago. By insisting on an immediate deposit, green option in institutional repositories, RCUK will help generate the required and inevitable changes to the scholarly publishing business and get a fairer deal for both academia and the tax-paying public.

4 February 2013

Written evidence submitted by the Editors of History Journals

SUMMARY

This is the response of the Editors of the History Journals listed below to the planned implementation of the Finch Report on Open Access. The major points are:

- APC model publication is not financially viable for many humanities journals or many humanities scholars, and so Green Open Access should be considered acceptable alongside Gold; and furthermore, since the useful life of humanities articles is typically much longer than that in STEM subjects, with a longer embargo period than currently suggested.
- The CC-BY licence proposed for Gold Open Access is not appropriate for humanities publishing.
- Rapid uptake of a Gold Open Access model in the UK while the rest of the world moves more cautiously might damage the international reputation of our journals and our scholarship, as overseas authors become reluctant to submit to UK journals, and UK scholars find themselves prohibited from publishing in overseas journals.

STATEMENT FOR THE COMMONS SELECT COMMITTEE ON OPEN ACCESS: HISTORY JOURNALS

We are a group of Editors of History journals. The group of those who have signed below represent a substantial proportion of academic history journals in this country, and we are all very concerned that hasty introduction of plans for Open Access might seriously undermine the very high reputation enjoyed by British journals.

When the problems with the planned implementation of the Finch Report became evident, we wrote a letter which History journals were asked to sign, which set out a policy we would all intend to follow:

- (a) gold open access to be permitted, but green to run alongside;
- (b) a three year embargo so as to protect subscriptions;
- (c) licences that offer authors more protection than the proposed CC-BY licences (CC-BY-NC-ND licences) for both Gold and Green.

Within a very short space of time, 26 History journals signed, which includes nearly all the major academic History journals published in this country. This reflects the very high level of concern about the planned implementation of Finch right across the discipline and amongst humanities journals more generally.

We set out our response in reply to the four points listed.

1. *The Government's acceptance of the recommendations of the Finch Group Report "Accessibility, sustainability, excellence: how to expand access to research publications", including its preference for the "gold" over the "green" open access model.*

We welcome the move to Open Access and to greater accessibility of scholarship. However, this has to be done in a way that does not destroy the UK's humanities journals, which enjoy a high scholarly status and which have strong international sales.

As the editors of history journals (like many humanities journals), we are very concerned that the move to a pure Gold model of open access will not work economically for us, and may lead to the financial collapse of our leading historical journals, which spend considerably more than the proposed 2k APC. For example, *Past and Present* (a UK journal) and the *American Historical Review* each spend six to seven k per article. *Past and Present* publishes only 24 to 30 or so articles per year and hence the overall income of APCs per year will be low; science journals publish considerably many more, shorter articles and can therefore expect to generate sufficient income under the Gold model to ensure that they remain viable.

Generally, academic history journals publish only about 20 to 30 or so articles per year, and each article requires substantial editing and intense peer review, with revisions of articles often required. Book reviews are also a major part of what many journals publish, and these will not attract APCs. Importantly, early career researchers, retired scholars, non UK scholars, and non-institutional researchers will not be able to pay for Gold Access. For humanities subjects, Green open access combined, if necessary, with Gold OA (if it is offered by the author/HEI) and with subscriptions, is essential for the continued survival of our journals.

We worry that the Gold model, if introduced without Green, will lead to a situation where journals are pressured to lower quality, publish more, and cut corners in editing and peer review. This will destroy their international reputation. It seems in any case unlikely that there will be sufficient funds to pay for Gold open access in the case of Humanities, even if 'gold' open access becomes normal in STEM subjects.

We therefore strongly support the original proposals that Green access should be allowed alongside Gold. We are very glad that the Research Councils and HEFCE are now making the acceptability of Green clearer. Green open access must be acceptable, in particular, for REF 2020, and it is essential that this be made clear to the community as soon as possible.

Green open access must, however, be combined with a longer period of embargo than currently envisaged: we suggest three years. The useful life of an article in Humanities subjects is considerably longer than in sciences, and therefore it is important to protect this so that subscriptions continue to be paid; if they are not, then the number of History journals will sharply reduce, and it will become much harder for academics to publish their research.

2. *Rights of use and re-use in relation to open access research publications, including the implications of Creative Commons "CC-BY" licences;*

We as history journals would not want to issue our authors with CC-BY licences, which are a very unrestrictive form of licence which allows commercial reuse, "tweaking", and forms of plagiaristic re-use. In science and social science journals, it might make sense for data to be shared. In Humanities, articles do not provide "data" but rather present arguments, and these are intellectual property. The author's rights therefore need to be protected. CC-BY licences are not appropriate for humanities publishing. They are not required for Green open access, and should not be required for Gold either. We are, however, happier with CCBY-NC-ND licences, which give greater protection.

Moreover there is the problem of "internal" copyright, where an author uses an image or quotes from material which is under copyright, having secured permission to do so. In such cases, and they include much of what we publish, CC-BY licences (even NC-ND) cannot be used because they would infringe these copyrights.

3. *The costs of article processing charges (APCs) and the implications for research funding and for the taxpayer.*

This does not affect us directly as journals editors. Humanities journals subscriptions are generally set at a reasonable level. We expect relatively few APC-supported submissions to Humanities journals, as much less research is Research-Council supported.

4. *The level of "gold" open access uptake in the rest of the world versus the UK, and the ability of UK higher education institutions to remain competitive*

Much of what UK journals publish is written by international scholars, and the signs are that international journals published outside the UK will not move to APC publication in the short and perhaps medium term.

We are concerned that the international reputation of UK journals is likely to suffer if scholars abroad begin to believe that they will have to pay to publish in UK journals. If this were to happen, a very lively sphere of UK publishing, which enjoys an outstanding reputation, would be in serious danger. We would be likely to lose some of the best work to other international journals which do not have an APC system.

We are also very concerned indeed that UK scholars will not be able to publish abroad, as there will be no reason for non-UK journals to adapt to UK rules when only 6% of world research is published in the UK. That would of course not harm UK journals in itself, but it would have a devastating impact on the UK's international standing.

Signed by the Editors of:
Agricultural History Review
Byzantine and Modern Greek Studies
Central Europe
Contemporary British History
Contemporary European History
Continuity and Change
Economic History Review
First World War Studies
French History
Gender and History
German History
Historical Journal
The Innes Review
Journal of American Studies
Journal of Ecclesiastical History
Journal of the Royal Musical Association
Journal of Scottish Historical Studies
Past & Present
Recusant History
Renaissance Studies
Royal Musical Association Research Chronicle
Rural History
The Seventeenth Century
Urban History
7 February 2013

Written evidence submitted by HistoryUK(HE)

EXECUTIVE SUMMARY

1. HistoryUK welcomes in principle the move to Open Access to journal based research.
2. The policy direction last autumn (heavily favouring Gold OA for all disciplines) has caused major concerns.
3. Journal publications significantly enhance the quality of UK Historical Research. History articles are much greater in length, have longer “half-lives”, and do not become obsolete. They are a different endeavour intellectually and commercially from STEM subject journals. OA policy needs to recognise this.
4. Academic Freedom, Cost, and the position of Early Career Researchers all mean that the Gold route would generate serious problems for historical research.
5. The Gold route in particular also looks likely to have negative impacts on the international profile of UK Historical Research, taking it out of step with the rest of the world.
6. The difficulties associated with gold mean that green open access is likely the best model for historical research, and across much of the Humanities and Social Sciences (HSS).
7. For Green to be adopted, it must be viable. This means embargos sufficient to sustain the current rich culture of journal publication. In the case of historical publications, longer embargos are appropriate given the longer half-lives and “shelf-lives” of historical research.
8. We are unconvinced of that the benefits of CCBY outweigh the costs for HSS in terms of the loss of protection of intellectual property, the dangers associated with allowing derivative works in sensitive areas of research, and the possible increased costs or embargos publishers may feel compensate for the transfer of a commercial asset to a third party.
9. We welcome the recent clarifications of policy and the recognition of the continued role for Green OA. We urge that the government and funding councils **recognise the advantages of the Green model of Open Access for humanities and social sciences**, and adopt policies on embargos and CCBY accordingly for those disciplines.

FULL SUBMISSION

1. HistoryUK is an organisation which collectively represents 87 subscribing Departments of History located within HEIs across the UK. It is not a learned society but rather a body which seeks to represent collectively the views of a major discipline within the humanities. As scholars our instincts are naturally to share the fruits of our labours with the largest possible audience—academic and non-academic. Given this we entirely accept the spirit of the government’s move towards Open Access.

2. Journals currently play an important and distinct role in the production of historical research (and constituted 36% of History submissions in RAE2008).⁴⁶ They delineate subfields, allow new approaches to emerge, provide an important foundation for monographs and books (which remain the “flagship” of historical research and at times reach very wide audiences), and through peer-review provide valuable feedback enhancing the quality of research. Such feedback is often particularly valuable for early career researchers. Moreover, beyond peer review, the production, editing, checking, and other services associated with publishers add value to the finished article. Journals project the UK’s excellence in HSS research on a global stage. Most History journal articles have not only long “half lives”, but also a long “shelf life”. Unlike articles in STEM subjects, they remain relevant for very long periods.

3. Before addressing the subjects requested by the committee, we must highlight our concern at the pace with which the OA agenda has been taken up by the funding councils, particularly RCUK. We also note that much less is in the public domain from HEFCE, and since Quality Research funding outweighs income from the funding councils, this has also caused considerable concern amongst departments. Given the time lags involved in research, decisions about research and publication in the next REF cycle are already being taken—either in ignorance of the shifting policy agenda, or (equally, perhaps more damaging) through attempts to “second” guess the final outcome. For example, although the policy position regarding “Green” Open Access has been helpfully clarified (particularly by BIS), there remains a widespread presumption across the sector that gold alone is favoured, and decisions about research are already being formulated on that basis. There is an urgent need for clarity and for an early acknowledgement that research currently in preparation will not fall-foul of rules not yet finalised.

4. As a result, HistoryUK has a range of concerns at the speed with the Open Access Agenda has been implemented, particularly by the funding councils (RCUK and HEFCE), often on a limited evidence base. Very few studies have been undertaken of publication patterns in Humanities and Social Sciences. Thus there is a real danger that a model of Open Access appropriate for STEM subjects but inappropriate to the pattern of HSS subjects will be imposed in ways which undermine the production and curtail the impact of HSS research, and hinder the reproduction and recruitment of outstanding researchers.

PROBLEMS WITH GOLD

5. These problems are particularly associated with the “gold” model of Open Access, which has dominated the policy agenda. We welcome the recent clarifications by RCUK and BIS before Lord Krebs’ committee recognising the validity of the green route. Nonetheless, it is necessary to re-iterate some of the problems the imposition of a purely gold route would pose for historians and others in the humanities.

6. *The Costs and Practicalities of Gold*: Many of these issues are generated by the “producer pays” model embodied in the gold route to publication. It is often pointed out that the likely publication costs generated by a wholesale shift to gold constitute only a small fraction of the research budget. This may be true in aggregate, but the costs of producing HSS research are far lower (since they do not require same level of capital as STEM subjects).⁴⁷ The vast majority of HSS research is conducted without funding from RCUK, and relies rather on QR income often supplemented by smaller grants from funders such as the British Academy or, in Scotland, the Carnegie Fund. Some is conducted without even these supports. As a result, the new cost introduced by any expectation that gold be the sole route to publication would be disproportionately heavy for HSS research.

7. This burden will be accentuated by the fact that the longer lengths and turnaround times of HSS journals, and their lower frequency than equivalent science publications makes it likely that Article Processing Charges will be higher. Data on the average cost of APCs is hard to come by. As the Royal Historical Society pointed out in their submission to Lord Krebs’ enquiry, costs in history journals could reach far exceed the £1,750 predicted in the Finch report, reaching £3,000 or even £7,000.⁴⁸ The likely costs to departments and institutions depend on the rate of publication. The cost gold would be a considerable and unnecessary burden, or alternatively (and more likely) would constrain patterns of publication.

8. There also further practical problems that arise from the gold route. Historical research tends to be “lumpy” with long lead-ins culminating in a spate of publications. Some scholars (and clusters of scholars) may also publish more heavily in journals than others due to the particular requirements of their sub-fields. In

⁴⁶ <http://www.rae.ac.uk/pubs/2009/ov/MainPanelN.zip>

⁴⁷ RCUK has acknowledged this in its decision to distribute its block grants for publication on the basis of researcher time, not the size of grants.

⁴⁸ House of Lords Science and Technology Committee, Written Evidence on Open Access Publishing, Royal Historical Society Submission, p. 272, <http://www.parliament.uk/documents/lords-committees/science-technology/Openaccess/OpenAccessEvidence.pdf>

these circumstances the gold route creates potential accountancy problems (will sufficient funds be available in a given financial year). This will pose a particular challenge for small and even medium departments.

9. *Institutional Constraints on Academic Freedom.* Academic freedom is a principle fundamental to academic life. The independence of researchers is often integral to their role in civil society, as well to their ability to produce the best (and most beneficial) research. The constraints imposed gold model they undermine the principle of academic freedom by placing institutional publications committees between researchers and their audiences. It is too soon to see how institutions will administer such funds and what considerations they bring to bear. Again it is not obvious that institutions can judge the likely value of research and the attempt to “pick winners” may prove counter-productive. The decision to only fund 3* and 4* research has already created considerable (and unproductive) additional burdens as institutions attempt to second guess REF results, and it is quite clear to anyone with experiences of these processes that this second tier of “inexpert peer-review” is crude and imperfect compared. The problem will be compounded if such processes become a barrier to publication, rather than a barrier to submission in REF exercises. Were OA incorporated into the REF in a crude way—or with an overemphasis on gold—the logic of the system would encourage HEIs to target funds at research considered “certain” to achieve 3* or (perhaps only) 4* marks. Far from receiving access to the full range of Historical research, the effect would be that the public received only a full slice—the slice perceived most likely to impress REF sub-panels. The problem would be further compounded for collaborative research and co-authored articles which would have to clear two separate sub-committees before submission.

10. *Local History.* There is no reason to suppose that research that makes the highest scholarly impact is the same research that is of most value to the public (REF 2014 implicitly acknowledges this since only 3* and 4* research attract funding, but impact may arise from research which receives only 2* status). Local History Societies across the UK for example publish journals which frequently attract academic articles, and cement close collaborations with academic departments. Yet these articles may not receive funding under the systems proposed at present (and local history societies are unlikely to have the infrastructure to adopt gold OA, but may have fewer objections to green), creating a perverse incentive for historians to disengage from their localities. Such local collaborations are also vital for a range of industries, not least tourism and the heritage sector.

11. *Early Career Researchers, Retired and Independent Scholars.* Often debates about Open Access have not considered fully the career paths of researchers. It is clearly in the national interest to ensure that the HEI sector is able to produce successive cadres of excellent researchers, and the only criteria ought to be merit. There are important differences between Early Career Researchers in HSS subjects, including history, and those in sciences. In particular, whereas science tends to be conducted by large teams incorporating ECRs, in history (and across HSS) individual research is the norm. This accentuates the role of journal publications. These are particularly important in the careers of early researchers, helping them build their reputations globally, often with the benefit of feedback through peer-review. Hence publication, and not least journal publication, inevitably becomes a factor in discussions on recruitment. Imposing gold open access requirements, particularly in the REF, would incentivise institutions to employ those who had the means to “pay to publish”, introducing a plutocratic element into a process that ought to be purely meritocratic. Even those on temporary incorporating research contracts (common in early career) might well find themselves cut off from institutional publication funds since institutions would have few incentives to publish their work.

12. Equally, a good deal of valuable historical work is published by independent scholars or retired academics. In the case of retired academics, their publications represent the continued returns of a life time of public investment in their work. As a discipline in which expertise is cumulative, often scholars produce their best work late in life. Gold risks marginalising such scholarship, assuming publishing models based on subscriptions remain commercially viable.

13. The combination of points 7–12 will be that **a move to gold will completely undermine the “complex eco-system” which sustains the production HSS research in its full range and diversity, with negative repercussions for both HEIs and societies.**

INTERNATIONAL ISSUES AND THE COMPETITIVENESS OF THE UK SECTOR

14. Open Access is developing at different paces across the globe (with the US particularly looking much slower to adopt OA), and the different forms of OA are being adopted. For example, the Irish government, in contrast to the UK, has favoured a centralised version of the green route.⁴⁹ The model incorporated in the EU’s Horizon 2020 programme also remains unclear.

15. Overseas publication is a major outlet for HSS research, not least history. Historical research in the UK is global in subject matter. The global scope of our research itself enhances the benefits of UK-based historical research to society, and also enhances the status of UK research, and the UK itself. This global engagement is enriched by the ability of UK historians to engage with scholars across the globe through publication. An insistence on OA where no OA option is available will necessarily diminish this international engagement and status of UK historical research. This will be compounded if UK researchers are also excluded from other OA options available globally.

⁴⁹ <http://roarmap.eprints.org/705/1/ir.pdf>

16. Another element of the difficulties presented by gold, particularly a gold requirement in the REF, is the introduction of a disincentive to the recruitment of international researchers. The strength of UK history, and indeed of the sector as a whole, depends on the recruitment of the very best researchers. An OA Gold requirement in the REF would create a strong barrier to such recruitment, even from countries favouring other forms of OA. Equally, OA publication requirements that diverge from those in other jurisdictions potentially disrupts collaborative research endeavours.

17. All of this suggests that the international dimensions under consideration by the committee suggest again a need to re-think the wisdom of too great or exclusive an emphasis on gold. Furthermore, it is essential that even OA Green (particularly in REF exercises) take full account of the real benefits to the UK of a high international profile. A failure to do so risks perversely punishing scholars and disciplines which are truly “world-class” and likely to maintain high rates of international publication.

THE MERITS OF GREEN

18. Most of these problems can be overcome if a viable version of Green is recognised as a legitimate channel for the publication of research, particularly HSS research. The Finch Report, and certainly Janet Finch herself in subsequent comments, has argued that Green should remain an element in any OA policy. We welcome the recent acknowledgement of this by BIS (not least in the Minister’s evidence to Lord Krebs).

19. The Finch Report preferred gold for a number of reasons, but a major consideration was the speed with which research became available to wider academic and non-academic audiences. This is clearly a major consideration in fast moving STEM subjects where papers have short “shelf-lives”, and are rapidly superseded. However this is one area in which HSS research is fundamentally different. HSS journals tend to have much longer “half-lives” (in other words take longer to reach their audiences). More importantly HSS research is not superseded in the same way as in STEM subjects. Old articles remain relevant long after their publication—often indefinitely. The embargos necessary to the Green Route to Open Access are not, therefore, beset by the same problems in HSS subject that inform the desire for gold in STEM subjects.

20. In this context, incorporating a **viable** version of Green into the policy mix (and particularly for REF exercises) presents a range of advantages given the real problems presented by Gold for History, and HSS more generally.

- (a) *Cost*: Although Green is not cost free (institutional repositories after all require funding) these costs are far lower than the cost of APCs, and funding is largely in place already. Funding for gold can then be targeted at research where instant availability is likely to generate the greatest benefits.
- (b) *Academic Freedom*. Green preserves a far greater measure of (but not complete) academic freedom since it allows researchers greater scope to publish in the most appropriate outlets for their research (so long as those outlets allow a compliant form of green) without the intervention of their institutions.
- (c) *The “Complex Eco-System”*. Green involves far less of an upheaval in the current system of publication, and thus retains the benefits of full and thorough peer review (uncomplicated by incentives to publish).
- (d) *Reproducing Researchers*. Peer review and the promotion provided by journal publication, it has already been pointed out, is of particular benefit to early career researchers, building reputations and projecting their research on a global stage (in a way which would not happen if ECRs could *only* publish in institutional repositories- as would likely happen under Gold). It would ensure that access to research careers was based purely on merit, rather than on the ability to pay APCs.
- (e) *Internationalisation*: While not entirely alleviating the problems of UK researchers publishing overseas or of recruiting the best researchers globally, the Green route would at least alleviate these problems by ensuring the UK does not become out of step with the rest of the world. Even so, barriers to international publication would remain—particularly in the United States (which houses many of the most prestigious journal). Even under Green the continued risks of isolating UK research would have to be taken into account in framing policy—particularly at the level of the funding councils.
- (f) *Sustainability*: Finally, at present it is unclear that commercially viable versions of gold are available for HSS subjects that preserve the real benefits provided by journal publication. While not wishing to deter innovation, a continued role for Green over the medium to long term (possibly indefinitely) is vital to the sustainability of History as a discipline.

21. For these reasons we entirely endorse the judgement of the Royal Historical Society in its submission to Lord Krebb’s enquiry that Green is the only viable route for History and many other HSS subjects.⁵⁰

EMBARGOS:

22. If Green is to be given a chance, then it is necessary for embargo periods to be set which recognise the long half-lives and shelf-lives of history journals. As an organisation recognising departments, we do not have

the evidence to hand to judge the exact embargo, but for Green to be given a serious chance, embargos must be realistic, and the transition gradual.

23. While to date the uptake of Green has been slow, this is because the pressures for adoption have, until recently, been weak. The strong policy direction now given to Open Access, if allowance is made for Green as a viable route, would doubtless transform the situation. Failure to give Green a chance risks jeopardising the production of research.

24. With this in mind we welcome Prof. Rick Rylance of RCUK's clarification of its position to Lord Kreb's committee: that the policy of 12 month embargos for HSS subjects was an aspiration after five years, and would necessarily be subject to review. Even so, we still note that this is a seemingly more stringent requirement than the 24 months endorsed by BIS in response to the Finch Report and in the decision tree produced by the Publisher's Association. Even so, a statement in December by editors of history journals declared 36 months to be "the shortest possible period that would still protect our viability".⁵¹ Given this, if Green is to be made to work, the policy must be implemented with sufficient latitude to maintain the "complex eco-system" described in the Finch report.

25. For research which has a very long shelf life, it surely serves the public interest to wait 24 (or longer) to secure **permanent access** to that research thereafter where the alternative is to risk undermining the production of that research in the first place, or that the research produced is of a lesser quality.

CCBY LICENCES

26. We have no objection to the use of the full range of Creative Commons Licences to ensure that research made available on an Open Access basis remains available, and to provide some defences for publishers and researchers.

27. However, given that (as is now increasingly acknowledged), we are entering a transition phase, there are good grounds for a less prescriptive approach in the precise kinds of licenses adopted. In particular, we would argue that there are good reasons to think that CCBY NC ND Licences are often more appropriate in HSS subjects like History. While in STEM subjects the patent system provides additional defences of intellectual property, in HSS this is not the case. Greater protection is therefore often in both the researchers' preference and in the public interest.

28. The preference for CCBY originates in part from the supposed potential for the commercial exploitation of research data through data mining and other practices. The extent of these opportunities has yet to be demonstrated beyond a narrow range of fields. The potential to produce derivative works through CCBY Licences also creates concerns for a subject like history which often tackles highly politicised or otherwise sensitive topics. There may be good reasons to defend research tackling historical topics from misrepresentation through the additional protections of CCBY NC ND.

29. There are also good reasons to balance the as yet unsubstantiated economic advantages of CCBY licences against the possible additional barriers to Open Access they create. Many publishers may view these potential commercial advantages as an asset (which CCBY transfers to third parties) and take them into account either in setting APCs, or in deciding on the embargos for Green. A restrictive policy on CCBY may effectively create additional barriers to the implementation of OA.

RECOMMENDATIONS FOR ACTION

30. We re-iterate our desire to see Historical research reach the widest possible audience. Our concerns centre on the need to ensure that a model of OA is not implemented which impedes the production of HSS research, and in our judgement Green is the best and most viable means to achieve this in our discipline. A viable version of Green would also ameliorate (but not eliminate) the international problems created by OA.

31. Until recently, the OA agenda has been driven too heavily by the concerns of the STEM subjects. If it is to be made to work, it must be implemented with sensitivity to the specific patterns of journal publication typifying different disciplines and clusters of disciplines. This is entirely in line with existing policy and structures, whether REF sub-panels and the funding councils.

32. The incorporation of OA into any REF exercise possesses particular problems. The issues are different from those surrounding on RCUK grants since the REF seeks to reach a summative assessment of the quality of all research and the research environment retrospectively. Hence we ask that HEFCE hold a full and open-minded consultation.

33. On this basis we recommend that, in acknowledgement of the profound difficulties attending the gold route to open access for HSS subjects, *a viable Green open access capable of sustaining the "complex ecosystem" constituted by journals in our field should be incorporated government policy and HEFCE and RCUK should conduct full and open minded consultations on this basis with due acknowledgement of*

⁵¹ <http://www.history.ac.uk/news/2012-12-10/statement-position-relation-open-access>

disciplinary differences, the need to maintain academic freedom, and the international repercussions of any policy.

7 February 2013

Written evidence submitted by Professor John Houghton and Dr Alma Swan

We write to you with some comments in response to the ‘Finch report’ on expanding access to research information in the UK. We carried out the recently-published economic modelling study on the costs of moving to Open Access for UK universities: the report, ‘Going for Gold?’⁵². We have also carried out a study for the Danish Government on the need for, and access to, research information by technology-based Small to Medium Sized Enterprises (SMEs) in Denmark.⁵³ We base our comments below on what we learned from these and other studies.

Our comments on the Finch conclusions and recommendations are as follows:

1. The original impetus for the study was to improve the situation for the UK’s innovative SME sector. We are disappointed to find that the interests of this sector and the opportunity to contribute to innovation and economic growth have largely become lost.
2. “Gold” Open Access, which is the focus of the Finch conclusions, pertains to academic journals. It is not a model for publishing *articles*, and is relevant, inasmuch as a journal confers a certain level of prestige and relates to a particular area of research, only to the academic community. The SME community has not the slightest interest in, nor for the most part understands, the academic journal “hierarchy” and the relevance of journal titles or reach. The SME community simply wishes to access individual articles easily, without delay and without cost. Where public funding has paid for the work, it is reasonable to strive to provide these articles to the SME community as a fundamental contribution to building a knowledge economy.
3. The “real world” (ie non-academic world) is not organised into disciplines, it is a trans-disciplinary place. In that real world, people use Web search engines (primarily Google) to search for articles. The concept of a scientific journal is not relevant to what they do. “Gold” Open Access is thus of limited relevance to these non-academic constituencies.
4. People working for innovative SMEs do not go to public libraries for work-related information, as the Finch report suggests. They need scientific and technical information on their desktops, at the moment they identify a need to consult that information, without restrictions on how they use it. The proposal to extend national licensing arrangements to apply to public libraries is absurd in the context of the information age and the needs of this sector.
5. SMEs need information as soon as possible. Cutting-edge sectors are dependent on early access to basic research for their competitive edge. Embargoes of 12 months and more in science and technology fields are a handicap on these companies. Moreover, UK universities embargoing their research would be far less likely to find fruitful partnerships with industry, and would be putting themselves at a disadvantage compared to those opening up their research immediately.
6. Green Open Access is exactly what the SME sector needs: it needs immediate, article-level access without constraints on use. The same applies to the NGO, governmental and third sectors, and to the general public. Green Open Access material can be openly-licensed, just as can Gold OA material. Moreover, it *already is* suitably licensed in repositories in many cases, and these are growing in number.⁵⁴ It is erroneous to claim that only the Gold OA route can provide openly-licensed content.
7. Moreover, our modelling shows that Green OA is cheaper. When the UK, or any individual country, individual university or research funder seek to make their research freely accessible and usable they must face the cost of doing so, and cannot reap the benefits of free access until others also move to Open Access. With article publishing charges at £1500, adopting Gold OA would cost the UK universities we studied in our “Going for Gold?” report 12 times the cost of adopting Green OA, and for the more research intensive universities going for Gold could cost 25 times as much as going Green. As article processing fees rise, these multiples rise too.
8. The BIS innovation agenda is best served by Green Open Access, which is affordable now. The Finch study lost focus on this because the composition of the Group meant there was a focus on the needs of the academic world and the publishers that serve that constituency. The expensive “solution” proposed by Finch does virtually nothing for the innovative business sector.
9. In terms of policy recommendations, the SME- and innovation-friendly solution is that pursued by the Federal Research Public Access Act (FRPAA) in the US and the European Commission’s

⁵² <http://repository.jisc.ac.uk/610/>

⁵³ <http://www.fi.dk/publikationer/2011/adgang-til-forskningsresultater-og-teknisk-information-i-danmark/adgang-til-forskningsresultater-og-teknisk-information-i-danmark-access-to-research-and-technical-information-in-denmark.pdf>

⁵⁴ The rise of libre open access. SPARC Open Access Newsletter, June 2012. <http://www.earlham.edu/~peters/fos/newsletter/06-02-12.htm>

conditions for ERA and Horizon 2020. Building on the experience of the successful NIH Open Access Mandate, these will mandate Green Open Access with a maximum 6-month embargo (12 months in the humanities).

10. Expanding access for academic researchers is a laudable goal, but should not be the sole focus. More immediate and greater impact is to be had along the Green Road, expanding access to scientific and technical knowledge for industry, government, NGO and third-sector users, where access gaps are the greatest. Mandating Green OA for the outputs of UK publicly funded research is the more achievable, affordable and effective policy.

Professor John Houghton

Centre for Strategic Economic Studies, Victoria University, Melbourne, Australia

Dr Alma Swan

Director, Key Perspectives Ltd, Truro, UK

31 January 2013

Written evidence submitted by the Institute of Mathematics and its Applications

1. EXECUTIVE SUMMARY

Many learned societies depend heavily on revenue from journal publishing to support their other worthy activities. Although the IMA is all in favour of wider dissemination of mathematical research, in particular to industry, and a greater appreciation for what mathematics can do, the UK's open access policy has created large financial uncertainties for the future of the UK learned societies and UK academia.

2. THE INSTITUTE OF MATHEMATICS AND ITS APPLICATIONS (IMA)

The Institute of Mathematics and its Applications is the UK's learned and professional society for mathematics and its applications. The IMA exists to support the advancement of mathematical knowledge and its applications and to promote and enhance mathematical culture in the United Kingdom and elsewhere, for the public good. It is a charity incorporated by Royal Charter.

3. FACTUAL INFORMATION

3.1 51% of the income of the Institute of Mathematics and its Applications comes from publication of its seven journals (2013 budget). If this income stream were to reduce by a factor of two, for example, the IMA would be forced to close in four years or invent a radically new business model.

3.2 If it had to downscale or close, the IMA would then downscale or cease to perform the following valuable services for the UK: operation of the Department for Education's Initial teacher training scholarship scheme in Mathematics; contribution to initiatives like the Mathematics component of the HE-STEM programme; compilation of information on the impact of mathematical research, like our Mathematics Matters series; operation of the highly used MathsCareers website; operation of the Chartered Mathematician/Chartered Mathematics Teacher/Chartered Scientist [for mathematicians] professional registers for the public good; operation of our seven journals that fulfill a valuable service to the international community and to the UK; our small grants scheme that supports a range of research activities; our education grants that support innovations in mathematics education; our prizes that recognize excellence; our linking of academia and industry, for example by our Professional Affairs committee and our Employers Forum; our engagement with policy, from EPSRC and HEFCE to DfE, BIS, other government departments, and the Houses of Parliament.

3.3 EPSRC's open access mandate requires publications of research supported by EPSRC to be gold or green open access for submissions from 1 April 2013, with the green embargo period at most six months. The IMA is not currently willing to reduce our embargo period for green open access from 12 to six months, because of the potential drop in subscriptions, and EPSRC is not willing to increase the allowed embargo period to 12 months, in contrast to AHRC and ESRC. Thus to remain open to submissions from authors supported by EPSRC, our principal UK authorship, the IMA has decided to make all its journals hybrid gold.

3.4 If satisfactory arrangements for UK researchers to be able to pay article processing charges (APCs) are not made, APCs will in many institutions squeeze UK university libraries' subscriptions budgets. This will lead to a combination of reduction in submissions to journals and subscriptions being cut. A consequence of both is reduction in the income to the learned societies.

3.5 In mathematics, there is the additional problem that mathematics journal publications may cost more than those in some other disciplines, yet article processing charges are currently fairly uniform over disciplines (we are considering a mid-range APC of £1750). The higher cost of mathematics articles can be attributed to a culture of high standards and of high density of content and perhaps to specialized, and so small, readership. It is reflected in the higher ratio of subscription costs to numbers of articles published. For example, an online subscription to the IMA Journal of Applied Mathematics (IMAJAM) for 2012 cost £10.33 per article (£8.77 if two other titles also taken), whereas online subscription to the American Physical Society's Physical Review journals for 2012 cost \$1.339 per article (<http://librarians.aps.org/institutional.html>) (for tier 4: "large research

institutions”; the cost is even lower for smaller institutions). Thus if a significant fraction of journal submissions (from worldwide) become open access and publishers operate a flat APC and reduce subscription costs in proportion to the fraction of open access articles published, mathematics’ journal incomes will reduce.

3.6 An alternative scenario is that publishers will set different APCs for different journals. Then financial pressures on University APC budgets will create difficulties for authors wishing to submit to journals with higher APCs. This could significantly reduce submissions to mathematics journals and hence jeopardize their viability. The revenue per article from IMAJAM for example is currently £3899, so if we were to put up the APC for this journal to match, we fear UK submissions to the journal would drop drastically.

3.7 The UK punches well above its weight in Mathematics (as in much of Science), as has been documented in the recent report on the Economic Benefits of Mathematical Sciences Research, for example. It would be a mistake to jeopardize its position by an insufficiently well resourced policy shift.

4. RECOMMENDATIONS

4.1 Implement the Finch Review’s recommended action ‘*iv.—Keep under review the position of learned societies that rely on publishing revenues to fund their core activities, the speed with which they can change their publishing business models, and the impact on the services they provide to the UK research community*’. (p.8)

4.2 Extend the embargo period for the green open access route permitted by EPSRC, BBSRC, MRC, NERC and STFC from six to 12 months.

4.3 Provide more substantial transitional funding for UK universities to pay APCs.

4.4 Make very clear the mandates on open access publishing from RCUK, HEFCE and devolved counterparts, and review them regularly as the situation evolves.

5 February 2013

Written evidence submitted by The Institute of Physics

The Institute of Physics (IOP) is a leading scientific society. We are a charitable organisation with a worldwide membership of more than 45,000, working together to advance physics education, research and application. We engage with policymakers and the general public to develop awareness and understanding of the value of physics and, through IOP Publishing, we are world leaders in professional scientific communications.

The IOP welcomes the opportunity to respond to the House of Commons Business, Innovation and Skills Committee’s inquiry into open access. Our response to the questions posed in the call for evidence is presented in the attached annex.

OPEN ACCESS

The Government’s acceptance of the recommendations of the Finch Group Report “Accessibility, sustainability, excellence: how to expand access to research publications”, including its preference for the “gold” over the “green” open access model

1. The government largely accepted the recommendations of the Finch report that, over time, the UK should make a transition to open access publication of its publicly-funded research outputs through the implementation of a balanced package of measures that would ensure “accessibility, sustainability and excellence”. The Finch report, which was endorsed by all stakeholders who participated in its formulation, including RCUK, HEFCE, the Wellcome Trust, research libraries, learned societies and publishers, expressed a strong preference for gold open access over green open access in meeting the requirements for “accessibility, sustainability and excellence”, but recognised that for the foreseeable future the UK would be operating in a mixed economy of subscriptions, licences, gold and green open access and other business models.

2. The government has also stated its preference for gold over green open access, which the IOP, as a learned society and scientific publisher, wholeheartedly welcomes. Our reasons for strongly favouring gold over green open access are outlined below.

3. Green open access is a viable means of expanding access to research outputs but as it makes no contribution to the costs of publication, which are substantial, the length of the embargo period before a paper is made freely accessible is critical to the sustainability of the model; the publisher must have time to earn back its investment before free access is provided. The Finch report recognised this and the government included in its policy, issued in July 2012, a requirement that where funding was not available for the payment of gold “article publication charges” (APCs) embargoes of up to 12 months be permitted in science, technology, engineering and medicine (STEM) and of up to 24 months in the arts, humanities and social sciences (AHSS), with longer embargoes in exceptional cases. RCUK’s written policy and guidance to date has not reflected this

requirement and is not in line with the letter nor the spirit of the Finch recommendations, requiring embargoes of just six months in STEM and, for an interim period, 12 months in AHSS.

4. A one-size-fits-all policy on embargo periods does not work, even for STEM disciplines. In physics, we undertook an analysis of downloads of the papers we publish and found a typical half-life of at least four years, ie half the downloads occur in that period. In other disciplines, such as mathematics, the half-life is even longer. It is therefore unreasonable for RCUK to impose a single embargo period for all STEM disciplines regardless of the nature of the research. In physics, a six-month embargo would mean that a significant proportion of libraries would find it advantageous to wait for free publication rather than pay a subscription to provide a viable business model for the publisher. Underlying the green model is the recognition that publishers must exist and if they exist, they must have a business model.

5. We are in agreement with the Finch report in identifying gold open access as the best long-term solution, although it may pose problems in an international environment, particularly in the developing world, where authors may not be able to afford the costs. However, particularly in the short term, there will be a need to support the green model, too. Here there is a need for clarity on green embargo periods, particularly during the transition period. Where a journal offers gold open access but an author does not choose, or is not able, to pay, it is reasonable that the embargo period should be longer than for a journal that does not operate under a gold model. As discussed above, there are issues concerning the embargo periods for different disciplines but it is clear that a journal trying to operate sustainably with a gold model would be undermined if all papers submitted via a green route were made publicly available after just six months, as currently suggested by RCUK. The Minister of State for Universities and Science, David Willetts MP, has accepted the case for variable embargo periods but that position has not yet been taken up by RCUK. The options for authors are clearly set out in the 'decision tree' published by the Publishers Association which BIS has endorsed and RCUK has agreed is a correct interpretation of government policy. This decision tree should be explicitly included in RCUK's revised policy.

Rights of use and re-use in relation to open access research publications, including the implications of Creative Commons "CC-BY" licences

6. We have some reservations about the blanket requirement by RCUK for the use of the CC-BY licence for all gold open access publishing. Some of our author communities in physics have expressed concern at its suitability in their disciplines and we are aware of many more reservations being expressed by author communities in other disciplines, in particular, the humanities and social sciences. However, we have implemented CC-BY for all our gold open access publishing and are therefore compliant with RCUK's policies in this regard; furthermore, we will work with our author communities to address relevant concerns. We will use a more restrictive licence in relation to green open access, where we need to be able to maintain our subscription income in order to enable green open access after a suitable embargo period.

The costs of article processing charges (APCs) and the implications for research funding and for the taxpayer

7. In September 2012, the government announced £10m which will be allocated to 30 of the UK's most research-intensive universities to enable them to move forward and develop policies to meet the costs of APCs and help ease the transition to the open access model. This investment is in addition to the contribution RCUK will be making to universities to support the payment of APCs associated with open access through block funding grants from 1 April 2013 and beyond.

8. Universities have expressed some resistance to the RCUK expectation that they contribute 20% of the costs towards APCs. But this is not the only extra cost they will face: there will be additional administrative costs associated with the extra financial transactions for each of the thousands of papers published in a typical university as well as the costs relating to the public availability of data associated with the publications. This situation is likely to be exacerbated if, as anticipated, HEFCE announces requirements for open access publication for articles to be eligible for the post-2014 REF exercise, effectively insisting that publications are open access regardless of whether they are based on research funded directly from the public purse. If no additional funding is provided, universities will have to use their own budgets, ie QR income, which is not a sustainable model in the current financial climate.

9. It should be noted that both the Finch report and the government recognised that there will be additional costs to the UK during any transition period, for as long as the UK is ahead of the rest of the world in its adoption of gold open access. While it might reasonably be expected that publishers' subscription and licence charges will fall in line with the growth in gold open access papers from the UK, those prices will fall for libraries in all parts of the world while the UK will carry the full costs of gold open access publication itself.

10. The UK produces only about 6% of the world's academic publications. Consequently, in the case that the UK proceeds to implement the gold open access model unilaterally, there would be only a negligible reduction for libraries in the cost on journals, since 94% of the papers would still use the traditional publishing route. However, the entire cost of UK publications would have to be absorbed within the UK system. Even allowing that this is an extreme scenario, the proposals are likely to result in an increase in the cost of dissemination of tens of millions of pounds. As it stands, the outcome appears to be that researchers and

businesses in other countries will be able to obtain free and immediate access to UK papers without a corresponding return in the other direction. Whilst this might lead to an increase in the citation impact of the UK's publications, it is difficult to see how this would in any obvious way directly benefit the UK's economy.

11. This additional cost has to come from somewhere, whether it is from RCUK (which may affect the ring-fenced Science Budget), universities or, preferably, new money from the government to support its policy initiative. As we understand it, the government is of the view that the benefits of implementing gold open access outweigh the estimated cost of about 1% to 2% of the Science Budget. Even so, with budgets under such strain, a situation unlikely to improve due to annual inflationary cost increases, an initiative that in the government's view will reap dividends should surely be financed with new money. In addition, RCUK and some libraries are requesting the full cost of the APCs be set off against journal subscriptions and licences, which is inconsistent with both the Finch recommendations and government policy.

The level of "gold" open access uptake in the rest of the world versus the UK, and the ability of UK higher education institutions to remain competitive

12. With regards to UK universities remaining competitive, some of the key concerns relate to the implementation of RCUK's policy. There is clearly an issue concerning academic freedom with RCUK prescribing which journals can and cannot be used for publication. It is entirely possible that, in some cases, the most prestigious journals in a research area, often based in other countries, may not satisfy the RCUK requirements. If this were the case, then UK academics would be severely disadvantaged in terms of the dissemination of their work and subsequent citations.

13. It is essential that RCUK's policy is clearly communicated to authors so that they can be confident of the compliance or otherwise of their preferred journal with the policy. This will not be the case without RCUK conforming to government policy on green embargo periods and therefore a clear understanding between all stakeholders of what is required for compliance. Publishers expect the great majority of journals to be compliant with RCUK's published policy on gold open access. All of the IOP's owned journals will be compliant in offering a gold publication option with the use of a CC-BY licence, and we are working with our learned society partners to help them understand the implications for their journals. Clarification is also required of how RCUK policy will apply to papers written by multiple authors from multiple universities and multiple countries, with research funded by multiple funders. In certain physics research areas, such as particle physics and astronomy, large international collaborations are the norm.

14. The RCUK proposal does not make clear how the policy will be monitored nor the consequences for a researcher whose paper might find a way into a proscribed journal. Will it really be the case that RCUK will police all publications that acknowledge any of the research councils? And will any offender really be prevented from applying for research funds? There is a difference between guidelines and requirements; if these proposals are really rules, then much more information is required about the consequences of breaking them.

*Professor Peter Main
Director, Education and Science*

7 February 2013

Written evidence submitted by Institute of Science and Technology

I hope that the following comments collected from colleagues can be considered in response to the inquiry:

This is a bit of a mine-field in terms of response. There are some very vociferous (indeed, quite maniacal) advocates of OA, and the tide is definitely running in that direction.

But I really don't think the costs have been well thought through at the individual, institutional, or national levels. But I would be rather hesitant to submit something as evidence without having time to consider and take advice from colleagues, it could do more harm than good.

We support the aspiration that all research, which is mostly funded by the public, should be fully accessible.

In principle, gold OA (where an additional OA fee is paid to a subscription journal) could help to achieve this, as well as the increasing use of fully-OA journals. There are two fundamental problems however with a move to gold OA. The first is that, unless all countries move together, we will end up paying twice—both the gold OA costs and subscription costs. Subscriptions will not reduce significantly until a high proportion of research is OA. The second is that under the gold OA model (and OA more generally) research organisations would have to pay all the costs of publication, while there are currently many other paying subscribers to the literature. While research sponsors have largely been persuaded that the publishing costs are relatively small relative to the public good achieved, the funding so far made available in the UK is very small relative to the sums required. OA costs can now be paid from Research Council grants, but these will only provide for a proportion of our research outputs, not least because many publications are produced after grants have come to an end. Research Councils have not offered funding for these "delayed" publications or for those by their PhD students, for example. And most research projects and PhD studentships are not sponsored by the Research Councils in the first place.

In the near future it is likely that researchers will want to continue to publish their work in the most prestigious journals possible, most of which are subscription journals, and usually without paying for gold OA because of a lack of funds (because they do not have a live Research Council grant or the institutional OA fund has been used up). The pressures from institutions, peers, collaborators, research councils and REF to use the most high-profile journals all outweigh the pressure to publish in the more affordable OA-only journals. While some of the latter have an improving reputation, it would currently be detrimental to UK science if we were forced to publish only in those.

Terry Croft
Chairman, Institute of Science and Technology

8 February 2013

Written evidence submitted by the Editorial Board of the *Journal of Commonwealth Literature*

Written evidence from Dr Claire Chambers (University of York) and Dr Susan Watkins (Leeds Metropolitan University), co-editors of the *Journal of Commonwealth Literature*, on behalf of the editorial board. A list of board members can be found at

<http://www.sagepub.com/journals/Journal201677#tabview=boards>

The *Journal of Commonwealth Literature (JCL)* is internationally recognized as the leading critical and bibliographic forum in the field of Commonwealth and postcolonial literatures. The journal was founded in 1965 and is now published by SAGE Publications. We refer you to SAGE's written evidence to the House of Lords Science and Technology Select Committee of 18 January 2013. <http://www.parliament.uk/documents/lords-committees/science-technology/Openaccess/OpenAccessEvidence.pdf>

In addition to the concerns raised in SAGE's written evidence and by many other subject associations and learned societies in the Arts, Humanities and Social Sciences we would like to emphasize the following points:

1. *JCL* currently publishes articles written by authors from around the world, including the developing world. If other countries follow the UK's lead and adopt the gold open access model, the cost of article processing charges (APCs) is likely to be prohibitive for authors in developing countries and off-putting for those from outside the UK, who may choose to publish elsewhere. If the UK adopts the gold OA model ahead of other countries this will disadvantage UK researchers, as authors from outside the UK will not be required to pay APCs and will not be using the same funding model to publish their work.
2. In common with most Arts, Humanities and Social Science journals, the majority of the articles published by *JCL* written by UK-based authors are produced by individual scholars not supported by large-scale research council funding, or even, in some cases, by QR funding. These include early-career scholars without full-time permanent institutional affiliation and in other cases academics working at supposedly non-'research intensive' universities without substantial QR funding. Under the gold OA model a large number of these authors would not have easy or automatic access to the funding necessary to pay APCs.
3. One of our four issues per year is an annual bibliography issue which is a comprehensive survey of publications in the field organized by country/region and written by contributors from around the world. Some of these contributors are not affiliated to a university, some are retired, and some (from countries like Sri Lanka) are reliant on the small income they receive as payment for their contribution. We are not clear whether this work would eventually require APCs, or, if not, how it would be funded under the new gold OA model if this were widely adopted.
4. In sum, our concern is that the gold open access model as currently planned has the potential to restrict the opportunity to publish, which should be (and currently is) based on academic merit. Specifically, it has the potential to damage severely the future of our journal, which is widely respected internationally and has a long history.
5. For comments on the green open access model and associated embargo periods please see the written evidence submitted previously by SAGE.

7 February 2013

**Written evidence submitted by the Editorial Board of the
*Journal of Southern African Studies***

The Submitter: JSAS, now in its 39th year, is the leading transdisciplinary journal dealing with the southern African region and is owned and run by its working UK-based editorial board. We have an international editorial advisory board, many of its members based in the region. We sponsor prizes and support writing workshops, conferences and other relevant activities, particularly in the region, that develop capacity and may produce papers or special issues of the Journal. We collaborate with other Africa-focused journals and the African Studies Association of the UK on matters of collective interest. Prof David Simon, Professor of Development Geography at Royal Holloway, University of London, is Chair of the JSAS editorial board and a former editor. He was elected to the Academy of Social Sciences in 2009 and wide research experience across sub-Saharan Africa and parts of Asia.

Summary: The transition to open access (OA) publishing is important in many ways and the underlying principle of which is laudable. As a journal devoted to publishing internationally excellent research on a predominantly low-income region of the world, JSAS has, over the years, gone to great lengths to enhance access there to the Journal and also to assist and mentor disadvantaged potential authors in producing papers to a standard suitable for it to publish. OA has the potential to widen access to published research dramatically. In practice, however, the recommendations of the Finch Report and the way in which these are being articulated into policy by the Dept. of Business, Innovation and Skills and UK's research councils (RCUK) contain many shortcomings and untested assumptions that are highly likely to impede achievement of the objectives. This reflects some fundamental implicit assumptions and inadequate attention to the detail of the policy and their likely impacts globally as well as within the UK.

MEMORANDUM

1. The move to OA is the most important change to academic and related publishing since the introduction of electronic publication. It will have profound consequences for the production, dissemination and use of both paper and electronic publications, particularly those reporting academic or related research funded in part or whole by the government.

2. Implicit in the Government's and RCUK's policies as announced to date is a profound change from the consumer pays principle to that of the producer pays. This is highly unusual in a capitalist system and has not been made explicit or discussed at all, despite its far-reaching consequences.

3. The Editorial Board of the *Journal of Southern African Studies* (JSAS) welcomes the principle of maximising access to published research, not just that funded in part or whole by the public purse in the UK. However, many of the underlying issues and likely consequences are untested or have been inadequately thought through. Different OA models have differential implications by discipline, institution, country and for individual (lone) scholars in terms of accessibility and affordability. These implications are already evident in how OA is spreading. It is most advanced in the biomedical, life and natural sciences but has barely begun in the humanities and social sciences. In the latter fields, most of the major journal publishers are currently introducing a default model (from which individual titles can opt out) of a 'hybrid' subscription system from early 2013, ie where authors have the choice of the standard closed subscription mode of publication or paying article processing charges (APCs). This will inevitably result in an unplanned and variable mix of individual articles on the two models within each journal, creating inequalities in terms of who can afford APCs and the mirror effect of which articles are available to all potential readers or only those paying subscription fees to the respective journal(s). Publishers are also establishing new fully open access journals but, since they are often very broad and general in scope and also lack brand recognition, even with much lower APCs (a few hundred US Dollars), they are likely to become second tier outlets for the time being.

4. Additionally, the inevitably gradual and piecemeal nature of both the 'spontaneous' transitions to OA in the world at large and the Government and RCUK's "planned" transition to supposedly full implementation of the Finch model will cause problems and inequalities. These will vary in severity according to the level of funding provided for particular disciplines and institutions, and the extent to which those institutions rely on other research funding sources (such as major trusts and foundations and NGOs apart from the Wellcome Trust) that are likely to refuse to fund APCs just as they have refused to pay full economic costs on research grants since the government introduced that system. RCUK have recently made some transitional funding available in recognition that the system cannot change overnight, that there will be some additional transitional costs and that during the transition, total costs will be higher than at present because of the overlap of current subscription charges for journals and the cost of APCs (which together also represent a dual income stream to publishers—the so-called 'double dipping'). However, the Finch Report and RCUK responses are based on a transitional period of up to five years. No clear basis for this assumption has been given, so that it represents no more than a guess at best or wishful thinking at worst. Particularly when the factors below are taken into account, there is every reason to suspect that, especially in humanities and social sciences, the transition will take much longer or may, indeed, never be fully completed worldwide. The inequalities and anomalies raised by the mechanism will therefore most likely persist longer term.

5. The debate thus far is taking place almost exclusively in some OECD countries (USA, UK and some EU member states plus Australia and New Zealand) and without due consideration of the impact elsewhere,

particularly in poor countries, where accessibility and affordability have long been major concerns and limitations. Inadequate consideration has been given to what would happen to the Finch/RCUK model if authors, institutions and publishers based outside these few countries refuse to go along with it. In poorer regions, locally based publishers fear that they will be driven out of business and even Africa's leading research university calculates that it will be financially far worse off under this OA regime than under the current subscription model.

6. Efforts to reduce or overcome the above-mentioned accessibility constraints for poor individuals, institutions and countries include supposedly free or highly subsidised institutional access to JSTOR (for articles at least five years old) or individual journal titles or bundles arranged by journal publishers as part of their contracts with copyright-holding editorial boards or learned societies. However, other constraints such as unreliable electricity supplies, narrow bandwidth and unstable internet connectivity often militate against such access even at participating institutions. Many lone scholars are even worse off since they lack such institutional access points and can rarely afford individual subscriptions.

7. Many journals, especially those based in, or with major constituencies in, poor regions of the world (eg in so-called 'area studies and development studies), such as JSAS, have gone to considerable lengths to arrange reduced individual and/or institutional subscriptions there on grounds of equity and maximising access to their published contents. If APCs are implemented, those institutions and their education ministries are unlikely to be able to pay them. In consequence, the most likely way to avoid undermining the viability of such journals, or undermining wide access to them under such circumstances, will be for journals and/or their publishers to waive APCs for papers accepted from authors based there. This might be sustainable for science journals, which have high average fee levels, or those attracting few contributions from such regions and which could arguably afford the cross-subsidisation that this tactic implies. However, such a step would clearly present a risk to the sustainability of those journals with higher proportions of authors based there, as it would require a substantial increase in average APCs for those able to pay on such a cross-subsidy basis. In this context, it is important to point out that many journals based in regions like southern Africa have, over recent years, already undergone complex transitions in order to gain acceptance by one of the major global journal publishers and to comply with ISI ratings requirements. Without APC waivers, the OA transition also risks further marginalising authors in such regions, who already struggle against numerous obstacles (some of which are mentioned in paragraph 6 above) to access current research and contribute to the so-called 'international' literature.

8. The current moves to OA originated and are strongest in medical and life sciences and are rapidly gaining ground across the sciences. They are likely to reach the social sciences and humanities last, since these areas attract lower average levels of research funding, journal subscriptions on the current closed access model are far cheaper and thus less profitable per title to publishers. A higher proportion of published research is also undertaken without direct research grant funding—which creates problems of how to fund authors' APCs as that system is introduced. Current APC fees for humanities and social science journals now adopting the hybrid model are—like journal subscriptions—very variable but up to US\$3,000, which is several times higher than the current annual subscription costs of many social science and humanities journals, even for institutions. This creates further affordability challenges in these disciplines and fields. Whilst it is likely that there will be downward pressure on APC charges over time, especially as traditional subscriptions decline and APCs gradually increase as a proportion of total revenue, affordability will remain an issue and source of implicit and/or implicit discrimination within and between individuals, institutions and countries.

9. Some UK universities have introduced central funds to address this need but are finding the costs increasingly unsustainable. The University of Nottingham is the best documented. To some extent, Gold OA might reduce demand from scientists for such funding if their research falls within the Gold system but this is likely to be replaced by higher levels of demand from social sciences and humanities. Longer term, the problem of sustainability will remain for all research not funded by grants that permit APCs to be included in grant applications. Higher education institutions will, if they have not yet done so, be forced to introduce competitive application systems for scarce available funds. As soon as demand exceeds supply for such funds, the competitive system will require managerial arbitration. This will introduce an added administrative burden on managers and academics, and will inevitably require a system of prioritisation. This will perforce also lead to managerial involvement in/interference with who can publish what and where—a major abrogation of academic freedom in terms of which the individual author(s) are traditionally able to prioritise according to their own criteria, perhaps guided by their research mentors.

10. Along with the UK government, the Wellcome Trust and Harvard University have been in the vanguard of advocates for the Gold OA model. This enthusiasm has been articulated in terms of avoiding paying twice—first to fund research and then to purchase the journals in which the outputs are published—and ensuring universal access to such work. However, as explained above, universal access will still not be achieved, and total costs to research funders may not be significantly reduced (the precise outcome will depend on how the current portfolio of journal subscriptions compares with the subsequent portfolio of author APC payments included in funded grant applications—which at this stage is necessarily indeterminate). Moreover, the Finch and RCUK models in their current form do not eliminate such double payments: they seek to change who pays from journal subscribers to authors—for whom APCs become an additional allowable expense on research grant applications to funders that will accept to pay them. However, inequalities will arise and the sustainability of some journals may well be threatened since, as indicated in paragraphs 4 and 7 above, some important

fundes will not accept APCs as allowable expenses and a substantial proportion of authors, be they retired, unwaged or independent researchers in the UK and EU or most researchers in poor countries, will not be able to afford APCs. Some publishers are indeed therefore now moving to waive such charges for authors in certain categories of low-income countries but this will surely mean an increase in average APCs in order to operate a cross-subsidy.

11. The Green OA model within the Finch Report and RCUK's response is intended as the mechanism to address the problem of anyone unable or unwilling to afford APCs. However, this model, based on the "depositories" being operated by many universities in the UK and elsewhere, is opposed by many authors since publishers currently do not allow their 'version of record' as published to be thus deposited. Hence, some version of "pre-prints" (ranging from the version initially submitted to the journal for consideration to the final, corrected version that entered production or in some cases page proofs) must be deposited. This is having the undesirable effect of putting diverse versions of research work into the public arena. This in turn means that any errors of substance, presentation or typography that appear in pre-publication versions will be disseminated and cited, with different page numbers attached according to the different formats. To the extent that institutional depositories are actually used as a source for articles, this will lead to errors that have been corrected in later versions being cited as accurate, different page citations being given for the same material depending on which version has been consulted, and other sources of confusion—a clearly undesirable situation in a world where plagiarism is already creating serious problems of verification and quality assurance.

12. A further concern for JSAS and many comparable journals that are owned by their editorial boards or learned societies is that income from publishers (principally royalties and the proportion of download fees passed on) is currently used to fund editorial assistants, provide honoraria to editors and to finance activities that both promote the journal and contribute to research and publication endeavours, such as prizes, conference attendance support, and direct sponsorship of conferences and cognate activities. If total revenue received from publishers were to decline significantly as a result of the transition from the current subscription model to APCs, all such activities would be threatened, thus having a negative impact on the disciplines and areas of activity as a whole, for which alternative funding sources are unlikely to be available under current financial constraints in higher education. This issue has also not been adequately taken into account to date.

13. The Finch Report and government and RCUK responses also include a requirement that copyright be abrogated in favour of Creative Commons licensing, and, in particular, that the "By Attribution" (CC-BY) licence be used. This is a particularly onerous requirement that implies a loss of control by authors, journals and publishers of their intellectual property. It means that anyone else can modify content randomly, pick aspects of the work at will, and represent or misrepresent the original accurately or inaccurately, without the possibility of recourse. Rather like the problem of Green OA outlined in paragraph 11 above, this could lead to perverse consequences and confusions and inaccuracies. All these could be avoided by use of the NC-ND form of creative commons licence that precludes commercial profit from such publically funded work and precludes derivatives being used. Many academics would be far more comfortable with this form of licence that retains a requirement of authenticity and does not violate intellectual property rights, while widening access to published research findings as much.

14. **Concluding comments:** We welcome efforts to widen access to publically funded research findings. However, this should be done in a manner that is transparent, equitable and sustainable. The model advocated by the Finch Report and the UK government's and RCUK's responses contains or is based on several major untested assumptions. If implemented in their current form, they will exacerbate inequalities of opportunity within and between institutions, regions, countries and disciplines according to access to funding that includes provision for APCs or to other resources to cover APCs. Many authors, both in the UK and abroad, who obtain other sources of funding or no funding at all for particular research, still produce internationally recognised and world class publications. If they are excluded or disadvantaged through the various mechanisms and

⁵⁵ The London Mathematical Society, <http://www.lms.ac.uk/>, is the UK's learned society for mathematics with an international membership. The Society's main activities include publishing journals and books, providing grants to support mathematics and organising scientific meetings and lectures. The Society is also involved in policy and strategic work to support mathematics and the mathematics research community. This work includes engaging with government and policymakers on mathematics education and research, participating in international mathematical initiatives and promoting the discipline.

processes outlined above, OA as currently being implemented in the UK will have perverse outcomes and impoverish the global research community.

*Professor David Simon
Chair, Editorial Board, Journal of Southern African Studies*

6 February 2013

Written evidence submitted by the London Mathematical Society

INTRODUCTION

1. The London Mathematical Society⁵⁶ is the leading learned society for research mathematicians in the UK. The major source of revenue to the Society (70%) comes from the worldwide sales of its distinguished list of peer reviewed journals. Any change to the current publishing model of subscription sales will directly affect the income to the Society and its work.

2. We have long been concerned about the threat to the ability of the LMS to continue to provide the range and volume of support to UK math science which it currently provides, arising from the implementation of open access policies which seek to reduce the level of library sales by making the content of journals available to readers through alternative routes.

3. Our publishing income is used to support a wide range of grant schemes including conferences, joint research activities, collaborative meetings and visits. The Society is particularly concerned with providing help for mathematicians (including research students) at an early stage in their careers. At a time when other funding agencies are cutting back on their contributions it is imperative that the LMS remains able to provide grants amounting to almost half a million pounds per year.

4. In order to provide our readers with a 'mixed economy' of access to the journals, the Society already provides the following open access options:

- (a) Free universal online access to the society-owned journals for *the first six months* of the publication of content, thereafter moving behind the subscription wall. This is known as a "reverse moving wall". We will review this policy regularly as funders develop new policies on embargo periods for green open access.
- (b) Through our publishing distributors, we agree to provide free access or access at a greatly reduced fee to *low income countries*. Currently, the offer is available to established not-for-profit educational institutions from qualifying countries based on country incomes as established by the World Bank Report 2006.
- (c) Since 2008 we have offered a *paid open access* option for all our journals, where an author can opt to have the APC paid by his or her funder in return for free universal online access to their paper. To date only one paper has been published in this form, which gives some evidence for the lack of available funds to pay for open access publishing among mathematicians. In order to accommodate the recent RCUK policy, we offer an option of using the CC-BY licence to authors, although we would prefer to adopt the CC-BY-NC option, the previous default licence.
- (d) Since the launch of the *Math ArXiv*,⁵⁷ an international repository of pre-print articles, we have permitted authors to upload one or more versions of their paper up to the version accepted for publication by the Society. This is not a condition imposed on our authors, ie they are free to place preprints on the arXiv or not and many prefer not to do so. We are willing to extend this permission to repositories run by funders or to university repositories, although we question the value of such narrow repositories when the arXiv is already available. In providing this 'green' access, we are aware that it poses a long term threat to the financial health of the journals. Where a paper has been freely available on the arXiv for some months prior to publication, we have some tentative evidence that the published version is less frequently downloaded than a paper that is not available on the arXiv. Libraries now have access to individual journal download metrics and they consider the price-per-download when choosing which journals to cancel, seeing this metric as an indication of how widely the journal is read by the users of the library. Because downloads of the arXiv version of papers are free, they do not recognise the value of counting the number of downloads from the arXiv. Our highest quality journals are those with most papers available to be read on the arXiv and these are most vulnerable to cancellation by librarians using the price-per-download metric.
- (e) We are considering the launch of a purely *open access journal*, a decision to be made this year.

⁵⁶ The London Mathematical Society, <http://www.lms.ac.uk/>, is the UK's learned society for mathematics with an international membership. The Society's main activities include publishing journals and books, providing grants to support mathematics and organising scientific meetings and lectures. The Society is also involved in policy and strategic work to support mathematics and the mathematics research community. This work includes engaging with government and policymakers on mathematics education and research, participating in international mathematical initiatives and promoting the discipline.

⁵⁷ <http://arxiv.org/new/math.html>

5. We are a major exporter, with over 95% of the income to our journals coming from outside the UK. This used to be recognised by the Department of Business and Skills through regular meetings with the publishing industry, in which we took part as members of ALPSP, however these have not taken place in recent years. When considering the cost of paying gold open access fees to the university and research sector, it may be worth noting that the UK is a major publisher and exporter of research journals and the overall economy benefits enormously from the wealth brought in to the UK which would be directly threatened by an extension of open access policies.

6. Although only 18% of our authors are based in the UK, we believe we have a duty to represent them, not just as members of the Society, but because there is no public body who can represent them. We are reasonably certain that they would prefer not to have to apply for APC funds and we know that many of them are not funded by RCUK and are therefore ineligible to apply for funds. As a consequence, most UK mathematicians will be unable to publish in gold open access journals. In an ideal world, we might help them by allowing further green open access but we cannot do so without destroying the income stream that sustains the journals and the society. Furthermore, we would not set a policy that differentiated between our UK and our overseas authors, many of whom are from recently developed countries. We have a firm principle of offering a level playing field to all authors submitting papers and must consider the global effect of our access policies when making changes. A level playing field includes offering to publish any paper under gold open access in return for the same fee, although we recognise that the majority of our overseas authors also have no access to funds.

7. Despite the threat to the income we generate from subscription sales, we are willing to continue with all five options described in paragraph 4 above because they provide a good balance between generating income and disseminating mathematics. *However, should RCUK extend the terms under which a journal is considered to be compliant with their green open access policy to include post-acceptance versions under an embargo, our journals would not comply with their policy.*

8. There are two areas of green access that we are particularly concerned about and fear that RCUK intends shifting the goal posts further.

- (a) *on embargo periods.* Mathematics papers have a very long life in terms of being read and cited, and therefore their economic value continues for well over ten years on average. The citation half-life for all of our journals older than 20 years is ten years and, since digitising our back volumes some years ago, we have been studying the download patterns and can see that the reading of the articles matches the long citation pattern. Although our back volumes are freely accessible to current subscribers, we also make separate sales of the back archive. We have direct evidence from the archive sales that the old material is still highly valued. A reasonable embargo period which would give time 'to secure payback' (to use David Willett's phrase in the acceptance of the Finch proposals) would be over ten years. This is completely out of the current range under debate and we could not envisage making any post-acceptance version of the article freely available under any embargo period less than ten years.
- (b) *on asking for versions later than the accepted version to be freely available, at no cost to the funder.* Our view is that we have gone far enough in our free access policy and we do not and would not permit reuse of post-acceptance versions of the article, even after a long embargo period of several years. Furthermore, we question the inferred claim of RCUK to have rights to the benefits gained through peer review of the papers, ie the added value between the writing of a first draft and the final acceptance of a paper; peer review is a particularly lengthy process for mathematicians. The majority of our referees are not resident in the UK and, while we do not pay them for refereeing, it is certain that RCUK does not pay them either. We pay considerable sums for the administrative costs of the peer review process; these are not negligible when the aim is to provide an efficient and fair route for authors, referees and editors. We are also concerned that the shifts in interpretation by RCUK of a policy that was intended to conform with the Finch report are a first indication of an intention to move further in the direction of requiring final published versions of papers to be available after an embargo period. We recognise that, in letting pre-acceptance versions be freely available for so long, we have somewhat undermined the argument that there is value in what the Society brings to the peer review process because we have allowed that material to go free. This is the price we pay for finding a reasonable compromise between our mission to disseminate mathematics while using money from publishing to benefit the other charitable activities of the Society.

CONCLUSION

9. In the previous paragraphs our aim was to provide you with the Society's view of how the last few months of developing policy have influenced our own discussions and firmed up some opinions on how far we are prepared to accommodate future change. In conclusion, we will summarise the main points according to the range of topics listed in the inquiry notice.

10. *The Government's acceptance of the Finch report's recommendations.* When we heard that the government had accepted the main findings of the Finch Report and RCUK had been asked to form their policy based on those findings, we were generally content that it had been recognised that there are real costs to publishing and that, in order for us to conduct a smooth transition of our journals to open access, it is essential that access be funded via the author. However we are very concerned that RCUK's policy has drifted away from the recommendations of the Finch report and they have yet to settle on a clear and unambiguous interpretation, even while universities are setting up the implementation of the policy. In our view:

RCUK and the Funding Councils should rigorously hold to the key findings of the Finch report.

11. *RCUK's insistence on the use of the CC-BY licence.* We are at a complete loss to understand this and we currently offer CC-BY-NC as the default licence, but we will allow authors the option of CC-BY, just so they can get on with complying with their funder's policy. We hope that this policy will be reconsidered quickly, before authors are forced to comply because, although there is little opportunity for direct commercial re-use from a pure mathematics paper, it seems fundamentally unfair and bad for the future of the economy to allow others to benefit on the odd occasion that there is a commercial application. Other written submissions, such as the recent ALPSP response to the House of Lords Science and Technology Committee, provide well informed arguments on this area (<http://www.alpsp.org/Ebusiness/AboutALPSP/ALPSPStatements/Statementdetails.aspx?ID=435>). In general, we were impressed by their response and support their views for consideration by this committee. In our view:

RCUK should not insist on the use of the CC-BY licence.

12. *Implications of APC costs for research funding and the tax payer.* It seems self-evident that UK universities cannot cancel journal subscriptions to recover money for APCs when only about 5% of mathematics research published in journals is British. If they did so, they would lose access to 95% of the literature! So, either all of the costs of revolution to open access must be paid for by the funders or the journals have to find some other benefactors. If they do not, then the journals will collapse via the unfunded model. Several experiments in unfunded journals have been set up in the past and very few have survived; none more than 20 years, so there is no long term model that matches the current economic journal model of subscription income. We cannot see unfunded journals run by enthusiastic volunteers as providing a reliable future and a commitment to preserve the literature. Therefore, if the funders want open access, they must pay. Our view would be to say that, in mathematics at least, the system is working fine already and does not need fixing. Access is there via the ArXiv on a basis that provides a reasonable approximation to the form of green OA desired by RCUK and the Funding Councils, and at no cost to the funder. In our view:

In the mathematical sciences, the status quo does not need fixing. That is, RCUK and the Funding Councils should accept the version of green OA afforded by prepublication on the ArXiv. In terms of costs, to the taxpayer and to the universities, this provides a much more sustainable model, while permitting full access to mathematics research to interested parties.

13. *Gold open access and the rest of the world.* We see no evidence for the rest of the world leaping on this bandwagon and, if we go beyond Europe and North America, we see increasing demand for our journals via the subscription model. It is not just gold open access that is unpopular; the assumption that the rest of the world believes the mantra that publicly funded research should be freely available has yet to be proved for both gold and green access. The mantra will surely be questioned when there are commercial benefits to be reaped from, say China's, developing research areas. In the short term, the payment of APCs will adversely affect the budgets of universities and research funders. However, the far greater threat in the longer term is that, if the policy actually succeeds in encouraging a move to open access journals with little profit and no sustainable model for the future, it will undermine the wider economy by threatening a highly successful export business, greatly reduce taxes received from commercial publishers and threaten the future of learned societies and the extensive benefits they bring to their community. When one compares the activity of national learned societies throughout Europe and North America, the British societies punch well above their weight in terms of benefits fed back to the community and this is largely due to our historic position in publishing high quality journals in English. In our view:

Changes to the structure of academic publishing should be made in a way which does not damage the high status and important contribution of the UK's learned societies.

Written evidence submitted by Dr Heather Morrison

1. This is an individual submission from a scholar specialising in open access and scholarly communication and a long-time open access advocate. This is a substantially different submission from the one that I recently submitted to the House of Lord's Science and Technology Committee.

EXECUTIVE SUMMARY

2. Changing the Government's Open Access Policy from one intended to support "gold" open access publishing to a straightforward "green" open access policy requiring researchers to deposit works for open access in a UK-based repository is recommended. This is absolutely necessary to ensure that the works of UK researchers remain open access and available to UK researchers and the UK public. The Open Access Policy applies only to UK researchers, not publishers. A researcher can publish in a fully open access journal that uses CC-BY, which is then sold to another publisher and converted to toll access. The steady growth of open access journals, and more recently monographs, over the past few years illustrates that "green" open access policy is sufficient to drive growth in open access publishing. Conversely, the policy as written is highly likely to harm "gold" open access publishing, by inflating prices which is likely to decrease support for this approach outside the UK.

3. The use of CC licenses for scholarly works should be considered experimental for the time being. None of the CC licenses map to any definition of open access. Any of the CC licenses can be used with toll access works. Some of the arguments used for CC-BY do not bear careful scrutiny. For example, it is a common belief that CC-BY is needed to facilitate data and text mining. CC-BY is not necessary, sufficient, or even desirable for data and text mining. Internet search engines routinely conduct data and text mining on a massive scale without any need for CC-BY. CC-BY can be used with works that are not at all suitable for data or text mining, such as locked-down PDFs. The Attribution element of CC-BY is problematic when a number of data/text mining sources are combined; data experts recommend CC-0 or public domain, not CC-BY.

4. There are aspects of the CC-BY license that are problematic for scholarship. CC-BY will often be incompatible with research ethics and rights of third parties whose work is included in scholarly works. Permitting the creation of derivatives may open up possibilities for new ways of speeding the advance of knowledge, but it also opens up the possibility of introducing errors and damaging the reputations of scholars by facilitating the creation of poor quality derivatives. These are just a couple of examples. Much more thought and research would be desirable before a default license for open access scholarly works is accepted.

5. The vast majority of open access journals do not use Creative Commons licenses at all, and those that do, do not always choose CC-BY. Only 11% of the fully open access journals listed in the DOAJ use the CC-BY license. There is evidence that, given a choice, scholars prefer to use more restrictive licenses. Recent evidence from Nature's *Scientific Reports* found that only 5% of scholars given a choice between 3 CC licenses chose CC-BY.

6. There are problems with affordability in scholarly communication in addition to access barriers. It is important to create a future for scholarly communication that is both open access and affordable. At the average cost of \$188 per journal found by Edgar & Willinsky in a major survey of journals using OJS, the full cost of global open access publishing could be supported by the budgets of academic libraries, at a small fraction of current spend, which could free funds to support emerging needs such as preservation of electronic information and support for research data services. At the rate of the \$5,000 per article charged by Elsevier's Cell Press for "sponsored access", the costs of the global scholarly communication system would increase by 16%.

ABOUT ME

7. Recently, I completed a doctorate at the Simon Fraser University School of Communication. My dissertation, *Freedom for scholarship in the internet age* <https://theses.lib.sfu.ca/thesis/etd7530>, reports on research that is highly relevant to this inquiry, particularly chapter 5, on the economics of transition to open access, and chapter 3, which includes a substantial section mapping Creative Commons licenses and open access. I have developed and taught courses on scholarly communication and open access at the University of British Columbia's School of Library, Archival and Information Studies and have published extensively on the topics of scholarly communication and open access, including the monograph *Scholarly Communication for Librarians*: Chandos, 2009. I have also taught information rights for the information age at the SFU School of Communication.

8. I am also a librarian with more than a decade's experience, primarily negotiating purchase of electronic resources at a provincial and sometimes a national level, through my position as Coordinator at BC Electronic Library Network.

DETAILED COMMENTS

9. Open access policy should always require that researchers deposit work into open access repositories—the "green" approach, and never require that researchers publish in open access venues such as journals—the "gold" approach.

10. Open access policy should stipulate that researchers deposit works into UK based open access repositories, such as institutional repositories. The reason for this stipulation is to ensure that UK funded research remains open access and remains available to the UK research community and public. To illustrate why this is necessary, consider the scenario where a researcher publishes in an open access journal but does not deposit in a UK based open access archive. The open access journal may cease to exist or be sold to a publisher that decides to change the model from open to toll access. Note that policies covering UK funded researchers, by definition, cover the actions of the researcher, not the publisher.

11. It is not necessary for open access policy to require publication in “gold” open access journals, because “green” open access policies are more than sufficient to provide incentive for publishers to adapt and offer “gold” open access journals. Over the past few years, thanks in large part to the leading-edge “green” open access policies of the UK Research Councils and similar funding bodies elsewhere, an open access publishing system has emerged and is growing on a steady basis. There are more than 8,000 fully open access, scholarly peer-reviewed journals listed in the Directory of Open Access Journals (DOAJ). The net growth of the DOAJ is a fairly consistent 3–4 titles per day.

12. It is premature to make any recommendations about which license is optimal for scholarship. For this reason it is not advisable to insist that researchers publish using the CC-BY license.

13. One of the reasons it is not advisable to recommend the CC-BY license is because many of the arguments in favour of this license are not well thought out. For example, on a superficial level CC-BY appears to reflect the strong open access of the Budapest Open Access Initiative definition. However, this superficial resemblance is not reflected in the legal code. For example, CC-BY does not necessarily mean “free of charge” which is central to any definition of open access.

14. There is a common misperception that CC-BY is needed to facilitate text and data mining. CC-BY is not necessary, sufficient, or even desirable for text and data mining.

15. CC-BY is not necessary for text and data mining. Internet search engines such as Google conduct text and data mining on a massive scale, on a continuous basis. This text and data mining is routinely conducted on works with any of the Creative Commons licenses, or no license specified, and even web pages that are All Rights Reserved. On the Internet, the way to note that a web page is *not* available for text and data mining is to use the `robots.txt` in the web page’s metadata. Otherwise, the default is that text and mining is the norm.

16. CC-BY is not sufficient to permit text and data mining. The Creative Commons licenses are a means by which creators or rights holders can waive certain rights that they have under copyright. However, the CC licenses do not place any obligations on the licensor. A CC-BY license can be used on a work that consists of locked-down image files that are not at all useful for text or data mining. A CC-BY license can also be used on a website that uses the `robots.txt` metadata that tells the web that the page is not available for crawling.

17. CC-BY is not desirable for text and data mining, because the attribution element is problematic when large numbers of datasets are combined. Data experts are recommending CC-0 or similar types of licenses for data for this reason.

18. CC-BY licenses can be problematic for scholarship.

19. CC-BY as a default for scholarly works is highly problematic, because CC-BY places no obligations on the licensor. An open access publisher using the CC-BY license can sell all of their journals to another entity. There is nothing in the CC-BY license that obligates the purchaser to continue with the open access model; they are free to convert all of the journals to toll access. This is one of the reasons I always recommend that open access policy be for “green” open access archiving.

20. CC-BY licenses will tend to conflict with research ethics and rights of third parties whose works are included in scholarly works covered by policy. A CC-BY license grants blanket permission to use works, including commercial works and making of derivatives, to anyone, anywhere. This means that a picture of a research subject could be harvested and included in an image bank to sell for a wide variety of uses, including advertising. Informed consent in this situation would require explaining to research subject that if their photo is published under a CC-BY license the consequences could include such scenarios as having their picture (possibly modified) posted as part of an ad on a bus.

21. CC-BY licenses, by allowing for derivatives on a blanket basis without requiring permission, can add inaccuracy into the scholarly record and/or damage the reputation of scholars, universities, and the UK education system, if poor quality derivatives are made.

22. CC-BY licenses, by granting commercial rights on a blanket basis, permit commercial entities to use the works of a publisher to compete with the publisher for revenue. For example, a commercial company could set themselves up to automatically capture new content created by a journal in order to attract advertising revenue that might otherwise have gone to the journal. This is a threat to journals, particularly smaller society journals.

23. The full impact of the Creative Commons licenses at this point in time is not fully known. Allowing for the creation of derivatives could open up the potential to increase the speed of knowledge creation and/or the development of useful new tools and services, or it could slow down progress by facilitating the creation and

dissemination of poor quality derivatives. For this reason, the use of particular licenses for scholarship at this point in time should be considered experimental. Use of the CC licenses should be encouraged, but a particular license should not be selected as a default, and researchers should not be required to use a particular license.

24. Most open access journals do not use Creative Commons licenses at all; those that do use CC licenses do not necessarily use CC-BY. Only about 11% of the fully open access journals listed in the DOAJ use CC-BY (see Suber, P. June 2012 SPARC Open Access Newsletter, *The Rise of Libre Open Access* <http://legacy.earlham.edu/~peters/fos/newsletter/06-02-12.htm>)

25. There is some evidence suggesting that CC-BY is not the choice of scholars themselves. Nature's *Scientific Reports* is a gold open access journal that provides authors a choice of CC license, affording an unusual opportunity to observe the CC license choice of scholars when all other variables are equal, eg there is no difference in cost based on the license choice. As reported by Nature's Grace Baynes to the GOAL Open Access list on February 5, 2013, only 5% of authors chose the CC-BY license (from <http://mailman.ecs.soton.ac.uk/pipermail/goal/2013-February/001557.html>).

Details:

- 1 July 2012 to 7 November 2012
- Introduced CC-BY;
- Three license choices available
- 412 papers accepted
- * 37% were CC BY-NC-SA
- * 58% were CC BY-NC-ND
- * 5% were CC BY

26. The affordability of an open access scholarly publishing system hinges on the average cost per article. The majority of open access journals do not charge article processing fees, so it is important not to confuse average cost per article with the APF approach. In addition to the access problem, scholarly communication has had an affordability problem over the past few decades. It is important to address the affordability problem in the transition to open access.

27. By my calculations, if all of the world's scholarly peer-reviewed journal articles were published at the \$188 US average per article found by Edgar & Willinsky in their 2009 survey of more than 900 journals using Open Journal Systems, the full cost could come from academic library budgets with cost savings of 96% of academic library budgets (for details, see chapter 5 of my dissertation). It is important to seek these savings as academic libraries have many new needs to fill, such as preservation of electronic information and supporting research data services. On the other hand, if the average cost were the \$5,000 per article charged by Elsevier's *Cell Press* for "sponsored access", this would increase the cost of the system overall by about 16%—and still not achieve open access, as sponsored access is not really open access, just free-to-read from the publisher's website.

28. The RCUK's generous block grants for article processing fees are likely to distort the market by inflating costs for article processing fees. If this approach were to succeed in achieving open access, it would be at the cost of increasing the problem of lack of affordability of the system. However, I predict that this approach will fail, as the impact of inflating the costs of article processing fees is very likely to decrease support for open access publishing outside the UK, thus dooming the sector the grants are intended to support.

29. I predict that an unintended consequence of the RCUK block grants for article processing fees will be a decrease in support for this approach outside the UK as this is likely to inflate costs. This will decrease the competitiveness of the UK research system, as it will be stuck with costs that researchers elsewhere do not have to pay.

Thank you very much for the opportunity to participate, and for the UK's leadership in the area of open access policy.

Heather Morrison, PhD

5 February 2013

Written evidence submitted by Ross Mounce

EXECUTIVE SUMMARY

The Creative Commons Attribution licence (CC BY) is certainly the most appropriate for publicly-funded academic research. Of the Creative Commons licences it is the only one which is actually compliant with the formal definition of Open Access. Some publishers charge extremely high APCs which do not reflect actual cost of production or work, therefore RCUK should restrict the maximum amount payable for any one publication. Exceptions to this maximum amount paid for an APC should only be allowed if justified to and agreed by the funding body.

1. **The submitter:** My name is Ross Mounce. I am a final year PhD candidate at the University of Bath. I am also an Open Knowledge Foundation Panton Fellow. I have published and reviewed peer-reviewed research

and of particular relevance to this call for evidence, I will be starting a BBSRC postdoc working on text and data mining techniques to extract new and open knowledge from the literature from October this year.

2. Open Access to publicly funded research is *inevitable*. Even Philip Campbell of the for-profit publisher Nature Publishing Group has publicly said so. Subscription access to research is extremely expensive and this cost is growing all the time. No library anywhere in the world can afford access to all subscription journals. Even Harvard University Library warned the world last year that their \$3.75 million annual spend on journal subscriptions in 2012 was not enough to get what they needed (and this is just access for one institution). Prices for online access to the contents of two particular publishers have risen by 145% over the past 6 years. Any judgement on the cost of a managed transition to open access *has* to bear this in mind. We need to move, it's just the question of how soon and by what strategy.

3. Given the costs, and yearly rises (mostly above the rate of inflation in the UK) in cost to access subscription access research the sooner we make the transition to 100% open access the better (in the long term). This is especially obvious when one considers that UK copyright law allows publishers to keep on renting access to research for typically up to 70 years after it was first published. Even the simplest back of the envelope calculations would show that even with relatively high APCs for 100% gold open access, it is in the interest of both UK & countries worldwide to make their research open access. Most countries around the world are thus already actively working towards this goal in some form.

4. For further insight into the inefficiency and dysfunction of the subscription access market, and non-substitutive nature of academic articles (we need access to them all), I highly recommend the Committee read Stuart Shieber's writings on this matter here: <http://blogs.law.harvard.edu/pamphlet/2013/01/29/why-open-access-is-better-for-scholarly-societies/>

5. I want to make it clear to the Committee that the gold open access route does not have to be as expensive as was originally forecast in the Finch report. A paper by Solomon & Bjork (2012) shows that the average price of most APC's where they are offered is just \$906, far less than the value quoted in Finch. The discrepancy arises perhaps because the Finch report assumes that authors will continue to publish in the same old for-profit commercially run journals they used to publish in. If the new RCUK policy can provide a little, but not too much scarcity of publication funds, then academics will be newly-pressurised into publishing in more cost-effective journals (that are of the same quality and peer-review as their "traditional" journals).

6. Furthermore the Committee should be clear that there exist a multitude of good quality, often subject specific gold open access journals that are fee-free (APC=0), hundreds of which are depicted below. Solomon & Bjork (2012) show that the majority of gold open access journals operate on a fee-free basis, relying on institutional support and volunteered time.

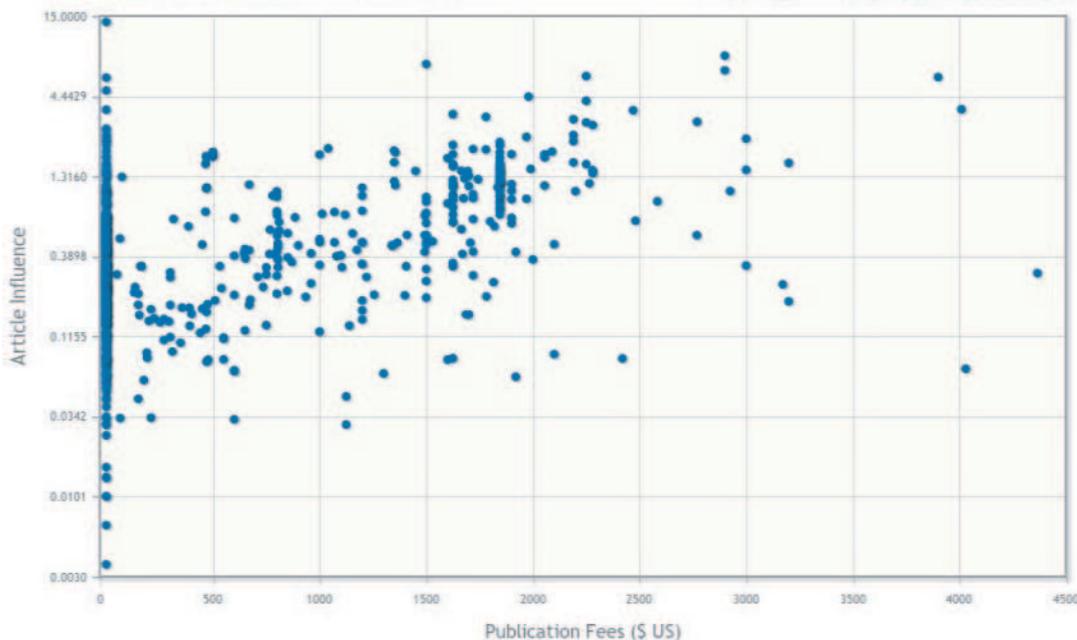


Figure 1: the plot from <http://www.eigenfactor.org/openaccess/index.php> by West, Bergstrom & Bergstrom (paper in prep). There is no strong relationship between APC paid & number of citations accrued by articles in these journals.

7. The definition of Open Access (<http://www.opensocietyfoundations.org/openaccess/read>) as defined by the original and recently reaffirmed Budapest Open Access Initiative statement permits *any* and all users to "...read, download, copy, distribute, print, search, or link to the full texts of these articles, crawl them for indexing, pass

them as data to software, or use them for any other lawful purpose, without financial, legal, or technical barriers other than those inseparable from gaining access to the internet itself.”

Thus Creative Commons licences such as CC BY-NC, CC BY-NC-ND, and CC-BY-NC-SA are thus by definition not compatible with the term open access as the NC module clearly blocks some potential re-users and the ND module clearly excludes some types of re-use (eg format shifting and excerpts). The NC module can have some highly undesirable consequences for content published with this module, my colleagues at the Open Knowledge Foundation have provided a good guide to some of these: <http://blog.okfn.org/2013/01/08/consequences-risks-and-side-effects-of-the-license-module-non-commercial-use-only-2/>

One striking example is that the NC module prevents re-use in Wikipedia. This website is often the fount of the world’s open knowledge. It would be a shame to prevent RCUK academic work from being re-used with attribution on this vitally important website.

8. It would not surprise me if commercial publishers write to this Committee to object to the CC BY licence. It is a little known fact that some STM publishers, particularly in the pharmaceutical sector can provide the publishing sector extremely lucrative profits from providing physical, paper-copy “reprints” of papers to companies who in-turn then flood doctors with these. I strongly recommend the Committee read this paper published in the British Medical Journal about the ethics of this, and its implications for open access licensing:

Handel, A. E., Patel, S. V., Pakpoor, J., Ebers, G. C., Goldacre, B., and Ramagopalan, S. V. 2012. High reprint orders in medical journals and pharmaceutical industry funding: case-control study. *BMJ* : British Medical Journal 344. <http://www.bmj.com/content/344/bmj.e4212>

If RCUK were made to water-down their policy to also allow the CC BY-NC licence for gold OA it would allow commercial publishers to retain their monopoly over reprint orders (which as can be evidenced in the above paper are extremely lucrative in some disciplines). The beauty of the CC BY licence is that it expressly allows commercial re-use. Thus any company can produce quality reprints of CC BY open access papers, I’m hoping this will spur market innovation and create new business opportunities for print-on-demand companies to compete to provide paper-copy research reprints. Without this liberal license the publisher has a monopoly over reprints for a particular article and thus can charge what it wants, restricting the availability of paper copies of publicly funded research.

9. Text & data mining. I mentioned at the start of this that I do text & data mining research. The business case for CC BY open access, and in particular the gold open access route is considerably strengthened by the potential and as yet unrealised benefits of mining on open access research. In this area licensing is crucial. Only research material published under liberal licences like CC BY are legally “safe” to mine from a legal point of view. The potential commercial benefits from increased mining access to open access research are immense. The JISC report on the Value and Benefit of text mining clearly shows this <http://www.jisc.ac.uk/publications/reports/2012/value-and-benefits-of-text-mining.aspx#a5>

“If text mining enabled just a 2% increase in productivity corresponding to only 45 minutes per academic per working week, this would imply over 4.7 million working hours and additional productivity worth between £123.5m and £156.8m in working time per year.”

10. The “green” route to open access is agnostic with respect to licence and this causes great problems for innovative re-use methods like text mining. Sure, the green route is cheaper than the gold route, but you’ll also get less economic benefit, through less re-use potential via the green route. Not to mention the inefficiency of the delay caused by the embargoes often levied on green open access routes by publishers.

11. Finally, there are lots of silly, *completely* illogical arguments sometimes written against the green open access route particularly short embargo lengths. One such is that in Humanities and Social Sciences (HSS) older articles are often cited, and thus have a longer “citation-half life” and that this somehow translates into a need for a longer embargo period. Whilst it may be true that HSS articles have a long citation life. That is also very true of other disciplines eg Palaeontology and Geology. Here even 19th, early, middle and late 20th century papers can be routinely and appropriately cited in an average research paper. As an example analysis I have data to show that the average age of a cited paper in palaeontology is >18 years old http://figshare.com/articles/A_simple_analysis_of_Reference_lists_of_10_PLOS_ONE_Paleontology_papers/106815 ... and this does not hinder most palaeontology and geology journals from having short embargoes as can be demonstrated by data from Sherpa/Romeo <http://www.sherpa.ac.uk/romeo/>

I encourage the Committee to look for facts and real evidence in their decisions on permissible embargo lengths. Not “surveys” of opinion and illogical speculation.

Written evidence submitted by Professor Peter Murray-Rust

I address specifically your request 2:

Rights of use and re-use in relation to open access research publications, including the implications of Creative Commons “CC-BY” licences;

I write as a recently retired but still highly active academic who for many years has been researching in chemical information. I have pioneered re-use of information by machines to discover and disseminate new science (simplicistically a “Google for Chemistry”). For example one of my students developed a system which could was able to interpret 70% of 400,000 chemical reactions in published patents in 4 days. This leads to a vast amount of new machine-understandable resources—indeed much of the current chemical literature could be transformed within a few weeks on a single machine.

There is an obvious benefit to mining the formal scientific literature in this way. It is highly quality and technically more feasible. Over 3 years I have asked the major publishers repeatedly for permission to mine published content and have been refused or fobbed of in different ways. I have documented some of these vain efforts in <http://blogs.ch.cam.ac.uk/pmr/2011/11/27/textmining-my-years-negotiating-with-elsevier/>—in essence five years of my research have been stalled and I spent perhaps 30% of my time fighting publishers rather than doing science.

I have argued to the Hargreaves process that content-mining in chemistry is worth “low billions” world wide (it is very difficult to quantify a non-activity). <http://blogs.ch.cam.ac.uk/pmr/2012/03/21/my-response-to-hargreaves-on-copyright-reform-i-request-the-removal-of-contractual-restrictions-and-independent-oversight/> . I am delighted that the IPO has agreed to Hargreaves recommendations.

I am on the Science Advisory Board of Creative Commons. Their licences are a key tool—and CC-BY is precise and precisely what is required for content-mining. Please accept that no other current licence for documents achieves the purpose of asserting cleanly that a document can be legally re-used (CC-NC is completely unsuitable). Moreover CC-BY is machine-readable. My robots can determine uniquely that a document can be mined without sending me to court. This is not possible with non-standard licences.

Note that publishers frequently assert that they are “extremely helpful and agree to almost all content mining requests”. This is not my experience nor the experience of others I speak to. It is supported by Elsevier’s own assert that they have only granted 4 requests a year over the last 5 years. They assert that “there is little demand”; my experience is that they are so uncooperative that most people don’t bother. Moreover each researcher has to do this for every publisher—scaling to tens of thousands of requests. For this reason we need a clear automatic legal instrument.

Assuming therefore that we agree that CC-BY is essential for automatic content mining the subsidiary question is “is it worth paying for?” There is a school of thought, almost all coming from scholars who do not practice science, that Gold CC-BY is a waste of taxpayers’ money. I conceded that the current situation is deplorable—the result of complacency by universities and academics and irresponsible commercialism by publishers. We have a broken market where the only long-term solution is to transform publishers from masters of scientists into their servants. RCUK has an almost impossible problem and I think they have made a clear statement and should be strongly supported. I expect that their stance will change the balance between funders and publishers and that the costs of added Gold will drop dramatically over the coming years. By contrast Green wins nothing—we cannot mine the content and it sends signals to publishers that they can continue as usual.

Unlike some I do not feel that paying for dissemination is a waste of money. I have twice had RCUK grants specifically for dissemination (by other means) and these have been a very useful exercise for me, the University of Cambridge, and the UK. Assuming that RCUK generates a higher number of CC-BY papers these will become highly indexed by machines and thus much more highly seen and quoted. In a recent World meeting on Materials Science I highlighted open CC-BY papers in my plenary lecture to the exclusion of closed ones.

In conclusion I stress that this is a direct conflict, not a negotiation with the closed publishers. They have a 15 Billion industry and huge amounts of time and money to spend on lobbying. In contrast scientists have to divert themselves from useful activities to this constant fight against corporatism. Please, therefore, value our submissions to yourselves in this light. Note that even as I write the publishers are lobbying the EC for restrictive licences on content-mining and when I have finished this letter I have to contend in that arena as well.

JISC has shown that the benefits of open knowledge (I am on the advisory board of the Open Knowledge Foundation) will be very large. The UK has made a wonderful investment in the Open Data Institute—I am asking for permission to get chemical content to put in it.

7 February 2013

Written evidence submitted by the National Union of Students (NUS)

INTRODUCTION

NUS (National Union of Students) is a voluntary membership organisation which makes a real difference to the lives of students and its member students' unions. We are a confederation of 600 students' unions, amounting to more than 95% of all higher and further education unions in the UK. Through our member students' unions, we represent the interests of more than seven million students.

RESPONSE

1. NUS welcome the government's interest in improving access to research publications and commend the work of the Working Group on Expanding Access to Published Research Findings.

2. The benefits of increasing the freedom by which research can be disseminated and publically digested are enormous. Public access to knowledge is not only crucial for the future of our economy, but it also plays a major part in the development of our communities and our democratic political structures.

3. We also understand the benefits that students would gain from having access, free at the point of use, to the majority of journals. Library resources are often overstretched and the cost of subscriptions to journals often means that libraries prioritise certain subscriptions over others. This will often mean that some students will suffer by not getting the full range of resources they require for their studies.

4. Although NUS supports in principle the argument for open access, we do have serious reservations about the model of open access recommended in the Finch Report.

5. Our main concern is that by encouraging publication in fee-based open access journals will significantly limit the potential (and enthusiasm) for postgraduate research students to publish articles. It is not clear whether funding will be in place for institutions to fully support their PGR students. It is likely that most funding pooled for article processing charges (APCs) will go to academics, particularly those who may submit to the REF. Students will probably face limitations based on subjective judgements on the impact of their work and on the reputation of the journal they wish to publish in.

6. Postgraduates already face many issues with funding their study, further costs would make matters worse and put students off publishing work which may have been of great importance to their research field and provided them with important reputation gains to advance their future career. Our "Pound in your Pocket" research has found that self-funded PGR students face mounting "hidden" costs of study which affect their overall ability to concentrate on competing their research.

7. Students funded by research councils are now facing further limitations as a result of the RCUK policy that articles from research funded by a research council may only be published in journals compliant with their policy on open access. This could mean that students miss out on opportunities to publish in journals that specialise in their field.

8. Postgraduate students should be able to decide when and where they wish to publish their work, and should not have to pay considerable fees in order to publish it. Many students already fall foul of predator journals who "cold call" with claims of interest in a students work, only for the student to be landed with an APC of hundreds of pounds. This could become more prevalent in the future.

9. NUS have recently conducted research into the treatment of postgraduates who teach at their universities. We found that there are considerable differences in the way PGR students are treated as members of teaching staff and many of these practices at some institutions are questionable in terms of their legality and ethics. Vast differences in pay and conditions of work mean that there are no standardised practices protecting postgraduates.

10. If institutions are not maintaining fair practice on something as important as the employment rights of their postgraduates who teach, it is unlikely that institutions will adopt standardised and fair practices when deciding when and where postgraduates can publish their work.

11. Our concerns also stretch to the intellectual freedom and autonomy of academics. Taking the control of publication away from the author, whether they be an academic or a student, is illiberal and risks creating a system where policymakers and bureaucrats dictate what constitutes worthwhile research.

12. NUS propose a "green" model of open-access where authors can publish in any journal, but are required to "self-archive" an open-access version of the article in an institutional repository. This is likely to maintain an author's intellectual freedom while also keeping the cost to government and institutions to a minimum. We also encourage institutions to take advantage of conventions regarding the publication of "working paper" series that are usually open-access and do not preclude the possibility of authors publishing the article in a peer-reviewed journal. Support should be made available to build national networks and online links to better advertise the resources in institutional repositories.

13. We encourage government to consider the full implications of any model of open access, particularly how it may affect postgraduate research students, as their ability to publish may determine their ability to secure an academic career in the future.

7 February 2013

Written evidence submitted by the Open University

EXECUTIVE SUMMARY

1. The Open University (OU) welcomes recent initiatives to ensure the outputs of publicly funded research are made freely available to all.

2. In response to this inquiry, The Open University recommends that:

- **Research Councils UK (RCUK) reviews the size of the Open Access (OA) block grant** to ensure it covers 80% of the full economic cost of Open Access publishing of RCUK-funded research outputs
- **The UK Government provides additional funding** for the necessary sector-level and HEI infrastructure
- **HEFCE is asked to clarify Open Access requirements as soon as possible**, including requirements of the next Research Excellence Framework (REF) exercise
- **The UK Government leads negotiations with publishers** to keep costs as low as possible and to ensure acceptance of Creative Commons Attribution (CC-BY) licences
- **The UK Government continues to monitor changes in the wider environment**, including international developments, and remains willing to revise policy and funding to ensure UK HEIs are able to retain their competitive position in the global research arena.

BRIEF INTRODUCTION

3. The Open University's mission is to be "Open to people, places, methods and ideas" and it has an extensive track record in making learning materials available through, for example, its:

- iTunes U materials, currently accessed for free at a rate of 177,200 downloads a week⁵⁸
- free learning resources on OpenLearn⁵⁹, which has 400,000 unique visitors a month
- formation of Futurelearn Ltd, a partnership led by the OU which will bring together a range of free, open, online courses from leading UK universities through MOOCs (massive open online courses)

4. The Open University's research, which was ranked in the top third of UK Higher Education Institutions in the last RAE⁶⁰, directly informs its learning and teaching.

5. With regard to research publications, the OU has been an active participant in the "Green" Open Access movement⁶¹ since 2002, and welcomes the recent initiatives to ensure that publicly funded research is made available for access by anyone for free via "Gold" Open Access⁶². The OU has operated Open Research Online⁶³, its own research publications repository, since 2002. The repository currently contains over 23,000 items, including almost 10,000 full text publications. Our internationally recognised research programme has explored and developed different ways of using the semantic web to discover and link research materials from repositories containing both research publications and research data. There are considerable benefits in extending the reach of the research we do through open access, and we are keen for researchers to engage successfully with the on-going changes.

OPEN UNIVERSITY POSITION AND RECOMMENDATIONS FOR ACTION

6. The Government's acceptance of the Finch Group report will have major consequences for all stakeholders. However, much will depend on how and when the report's recommendations are implemented. As yet, it is uncertain what The Open University and other universities will need to put in place in order to meet government and funder requirements.

7. As the Finch report notes, the move away from traditional models of publishing will take considerable time and there will be transitional costs associated with this shift from "reader-pays" (via libraries) to pay-to-publish with immediate open access where usually authors are required to pay a fee (Article Processing Charge). Universities will face additional costs for Gold OA publishing charges and the required infrastructure

⁵⁸ An average based on the last four weeks of traffic as at 4 February 2013.

⁵⁹ <http://www.open.edu/openlearn>

⁶⁰ The OU was in the top third in the 2008 Research Assessment Exercise, with over 50% of its research deemed internationally excellent and 14% world-leading.

⁶¹ Green Open Access—research is published in traditional subscription journals and authors self-archive their peer reviewed papers in a digital online repository (often following an embargo period).

⁶² Gold Open Access—authors publish in an open access journal that provides immediate open access to all of its articles on the publisher's website. This is likely to involve the payment of Article Processing Charges (APCs).

⁶³ <http://oro.open.ac.uk>

to manage these processes alongside existing management of the subscription system. Therefore funds will be required to support this transition but the Government concludes that this is a matter for the independent funding bodies.

8. Pump priming funding on behalf of the funding and research councils has only been provided to 30 HEIs. Numerous other HEIs in the UK will also need to set up expensive infrastructure but have not been provided with the support to do this. The cost to the whole sector and to individual universities of development, implementation and promotion of new administrative procedures, systems and workflows to ensure compliance with requirements, will require review. There is a need for sector-level infrastructure to assist universities as well as additional capital for individual universities for this part of the transition process.

9. Block grants to cover the cost of Article Processing Charges are being provided by the Research Councils on the basis of 80% of the full economic cost. This provides an easily accessible and identifiable source of funding for universities to support their academics. However, it should be noted that this is not additional money provided to the research councils and therefore, means less money for research activity overall; in a context of already declining research budgets in real terms. Furthermore, early estimates at The Open University are that the RCUK block grant may not sufficiently cover the Open Access costs of publications arising from Research Council funding.

Recommendation 1: RCUK reviews the size of the Open Access block grant to ensure it covers 80% of the full economic cost of Open Access publishing of RCUK-funded research outputs.

Recommendation 2: The UK Government provides additional funding for the necessary sector-level and HEI infrastructure.

10. There is also likely to be a bigger, institutional funding gap to meet when the full HEFCE requirements for Open Access to research outputs are clarified. Whilst it is anticipated that HEFCE will expect its QR grant to be used to support this, this will yet again impact on HEI budgets and institutions' abilities to effectively support their research portfolios, including the effective dissemination of research.

11. There is also a risk that the different funder policies, and differing availability of funding, will lead to an undesirable two-tier publication system within HEIs, ie one covering publications that are financially supported and those that are not. This could result in confusion for, or disenfranchisement of, some researchers.

Recommendation 3: HEFCE is asked to clarify Open Access requirements as soon as possible, including the requirements of the next REF exercise.

12. As well as covering Article Processing Charge costs, there will still be a need to maintain subscriptions to journals through HEI library services for a transition period of at least five years, especially to those that are published outside the UK. At this point in time, the stance taken on OA by the Government and research funders in the UK has not yet been followed widely across the world, particularly in relation to the emphasis on Gold OA. The percentage of The Open University's subscribed journal resources which are currently non-UK is 90%. The UK contributes a small percentage of the world's research output (6%), so for a period we will be paying to make UK research OA while continuing to purchase subscriptions to access research from the rest of the world. Unless additional funding is made available, there is a risk that the transitional costs will be taken from the budgets of library services, leading to a reduction in the number of subscriptions to journals. We must ensure our researchers and our students continue to have access to a wide range of quality material, to ensure the continued quality of UK research.

13. Concerns have been expressed within our academic community about the requirement to use Creative Commons Attribution (CC-BY) licences. The very wide reuse this allows may lead to misrepresentation of research. It will also be difficult for individual researchers (or indeed individual universities) to put pressure on publishers to adhere to this particular requirement. For those researchers obliged to publish under such a licence, this may become too restrictive.

Recommendation 4: UK Government leads negotiations with publishers to keep costs as low as possible and ensure widespread acceptance of CC-BY model.

Recommendation 5: UK Government continues to monitor changes in the wider environment, including international developments, and remains willing to revise policy and funding to ensure UK HEIs are able to retain their competitive position in the global research arena.

Written evidence submitted by the Physiological Society

SUMMARY

1. The Physiological Society fully supports the move towards open access and has provided a “gold” OA option for our two journals since 2005. Often publishers have been viewed in the negative light in the UK, but our relationship with successive companies has been positive providing both a significant return for The Society as well as facilitating the development of our journals to enhance dissemination. The income we receive has helped The Society to directly support and sustain physiology and physiologists in the UK and overseas.

2. Open access is, we believe, an opportunity and the Finch Report provides a way forward and should be implemented in a sensitive and pragmatic way. We have a number of recommendations that we hope will be viewed constructively. These are as follows:

- The UK Government should adopt either 12 or 24-month delayed “green” OA models depending upon the discipline, the former for science and engineering and the latter for arts and humanities.
- The Government should carefully consider the impact of any CC-BY requirements on IP: we believe that a flexible approach should be adopted with clear guidance for authors.
- The Government should adopt an either/or approach to publication of publicly-funded research: namely either “gold” access with provision of appropriate level of funding or the ability to opt for a 12 month-delayed “green” OA.
- Government, publishers and Learned Societies should ensure appropriate provisions are in place to avoid double payment during any transitional phase, or indeed beyond, and regularly monitor the situation.
- Over the next 5 to 10 years continued dialogue should be sustained between stakeholders and an evolution of the Finch Group should be established to meet annually and review developments both within the UK and globally.

INTRODUCTION

The Physiological Society

3. The Physiological Society (The Society) brings together over 3,200 scientists from over 60 countries, the majority are based in the UK and Ireland, but 30% are located around the rest of the world. Since its foundation in 1876, its Members have made significant contributions to our knowledge of biological systems and the treatment of disease. We promote physiology and support those working in the field by organising world-class scientific meetings, offering grants for research, collaboration and international travel, and by publishing the latest developments in our two leading scientific journals, *The Journal of Physiology* (JP) and *Experimental Physiology* (EP). The Society also runs events for the general public on how physiology relates to everyday life, and for students who may be considering physiology as a career.

4. The Society is a registered charity and our activities are largely funded from subscription income to its two leading journals, *The Journal of Physiology* and *Experimental Physiology*, which currently generates over 80% of the Society’s funds. This income allows us to support a vibrant research community in all areas of their work and at all stages of their career.

5. It is difficult summarising all the activities of The Physiological Society that are enabled by our income from publishing, so we have appended our last Annual Report for 2011—the 2012 report will be published at our AGM in July 2013. This can also be found at: <http://www.physoc.org/sites/default/files/page/Annual%20Review%202011.pdf>.

6. The Society’s publications, the *Journal of Physiology* (JP) and *Experimental Physiology* (EP), were established in 1878 and 1908 respectively. They have a long history and strong scientific tradition with, for example, forty-two Nobel Prize winners having published in JP.

7. Both journals provide 12-month delayed “green” open access (OA) and also have an option for “gold” OA, an option for authors that has been in place since 2005. In addition The Society has announced and is launching *Physiological Reports*, a new “gold” OA journal jointly with our colleagues in the American Physiological Society and in partnership with Wiley Blackwell. The first call for papers will be circulated in March 2013.

8. For many years The Society’s journals were published with Cambridge University Press, but in 2004 this was switched to Blackwell, now Wiley Blackwell. These partnerships have proved very fruitful for The Society, with a significant proportion of the net income accruing with a smaller portion being retained by the publisher. In 2012 we extended our constructive partnership with Wiley Blackwell to the end of 2018 safeguarding our income over this period and putting in place plans to further develop the utility of our journals in disseminating science.

9. The partnership with Wiley Blackwell has been very positive having allowed us to develop the technology behind our journals as well as market them globally: scientific publishing is an international activity and the UK must be exceptionally careful of moving out of step that could either reduce the resources available to Societies or undermine the UK science base in the longer term.

10. In many ways though, this international dimension to scientific publishing has benefited UK societies and the UK science base as a whole. A number of indicators for JP concisely illustrates this:

- Around 91% of our income originates from sales outside the United Kingdom
- Up to July 2012, 86% authors were from outside the UK
- The Editorial Board is fully globalised with: 29 from the UK; 33 from Canada/USA; 9 from the rest of Europe; 7 from Australia/New Zealand; and 3 from Asia.

The role of Learned Societies and this review

11. Learned Societies play a crucial, but hidden, role on the UK scientific landscape. They provide mechanisms by which scientists within their particular discipline can meet, interact and disseminate their research. In addition they provide important mechanisms to support career development and progression in young scientists.

12. Learned Societies have been providing this support and networking opportunities for many years, without which the Government would have to significantly increase the amount of resources allocated to such activities. In many ways the sustenance of the leading role of UK science would have been much more difficult without the presence of such Societies.

13. The Physiological Society welcomes this opportunity to submit evidence to the Department for Business, Innovation and Skills Enquiry. Our remit is to support and develop the discipline of physiology, by: facilitating the dissemination of science (publications); providing opportunities for the interaction of scientists (scientific meetings and conferences and the provision of travel grants); supporting career development (through a young scientist network and targeted vacation workshops, bursaries and other development opportunities); and education and outreach activities (to the public and schools).

14. As a learned society, we have participated constructively in the discussions of the Finch working group by contributing our comments via a number of stakeholders, such as the Association of Learned and Professional Society Publishers, the Society of Biology and our publisher, Wiley Blackwell.

15. Overall we have welcomed the recommendations in the working group report and the endorsement setting out Government Policy in the letter from David Willetts MP, Minister of State for Science and Innovation to Dame Janet Finch of 16 July 2012.

16. Although our existing journals, JP and EP, already had a “gold” OA option we adapted this further to ensure compliance with the recommendations, by offering authors a choice between the CC-BY licence (mandated by RCUK) and other Creative Commons licences. We are also ensuring our new “gold” OA journal, *Physiological Reports*, is in compliance.

17. We understand that this Enquiry is to focus on the feasibility of implementing the Government Policy and summarise below our responses to the issues raised in the Chairman’s letter. However we urge BIS to consider the wider complexities and that Government policy is not overly swayed by one single organisation, such as the Wellcome Trust. Government should fully support UK Learned Societies, who have long been a hidden jewel in our scientific landscape.

The Government’s acceptance of the Finch Group Report

18. Overall The Society supports and backs the key objectives of the Finch Report, to enhance OA and support accessibility to scientific research although there are a number of elements that must be considered during its implementation. These cover:

- **“Green” OA embargo period:** The Government must ensure that the embargo period of 12–24 months is reflected by the Research Councils and that one-size will not fit all: while sciences may require 12 months embargo, humanities and other subjects may require 24 month delayed.
- **Funding:** Appropriate funding for gold options must be put in place to facilitate any transitional arrangement and also the Government should monitor the hidden cost of administering OA.
- **Creative Commons:** The Government should review the impact of the CC-BY licence they are mandating and its impact on IP arising in the UK and how this could impact on collaborative research with the private sector.
- **Societies and publishing partners:** Societies should work with their publishing partners to work constructively with funders; this should include providing mechanisms to monitor and avoid “double dipping”.

The “green” OA embargo period

19. The embargo period of 12–24 months for “green” open access proposed by the Finch group also matches with our experience and expectations. The key statistics of our pre-eminent journal, the *Journal of Physiology* are as follows:

<i>Indicator</i>	<i>JP</i>	<i>EP</i>
Two-year Impact Factor	4.881	3.180
Five-year Impact Factor	4.988	0.885
Cited half-life	>10.0	5.8
Eigenfactor Article Influence score	1.888	1.045

20. JP, while having an Impact Factor that has been around 5 for the last few years, has sustained a long citation half-life and consequently is the highest rated physiology journal based on the Eigenfactor. This indicator uses a number of indicators beyond simply the one dimensional Impact Factor. Even our second journal, EP, sustains a citation half-life of 5.8 years.

21. It is also clear that there are differences between disciplines and any policies adopted by Government and the Research Councils should adopt a flexible approach on a discipline basis. Nevertheless these figures indicate that a 12 month delayed “green” OA option is appropriate and sustainable for the life sciences, providing free access during periods of continuing citation.

22. In addition many other countries have adopted the 12-month delayed “green” access model as the timelines of choice. Consequently a 6 month embargo could seriously affect UK academics, should funding be insufficient to provide APCs and would, in any case, be out of step with the global consensus.

RECOMMENDATION: The UK Government should adopt either 12 or 24-month delayed “green” OA models depending upon the discipline, the former for science and engineering and the latter for arts and humanities.

Rights of use and re-use in relation to open access research publications, including the implications of Creative Commons “CC-BY” licences;

23. The objective of making publicly funded research openly available is one that must be supported. However the implementation of this and the use of CC-BY variants must be considered carefully.

24. First whatever stance is adopted should take a pragmatic approach taking into account the following points:

- The arrangements should safeguard the ability of academic researchers, and commercial collaborative partners where appropriate, to protect any intellectual property.
- Any licensing should exclude open commercial use via reach through rights or open licenses—in the past the UK has lamented the ability to protect IP arising from publicly-funded research and such rights could worsen the situation.
- Options should be provided in relation to CC-BY variant licences to authors so as not to compromise submissions to UK journals from overseas nor existing collaborative partnerships with commercial partners—however this also requires that there are clear explanations on the variant options of CC-BY licence and their implications.

25. Over the years the CC-BY-NC licence has served the academic community well and facilitated the open publication without compromising arising IP. The changes recently proposed by the Research Councils should have a more flexible approach providing options other than mandating CC-BY, which could lead to a loss of IP protection for the UK.

RECOMMENDATION: The Government should carefully consider the impact of any CC-BY requirements on IP: we believe that a flexible approach should be adopted with clear guidance for authors.

The costs of article processing charges (APCs) and the implications for research funding and for the taxpayer;

26. There are three elements that need to be considered in relation to APCs: first, the provision of sufficient funding, especially during any transitional phase; second, the processing of such claims; and third, the avoidance of double dipping during any transition in business models.

27. If UK research funders continue to promote 6 month-delayed “green” or immediate “gold” APC models as the only options, it is essential that appropriate funding is provided: the recent allocation of £10 million to a restricted number of universities is unlikely to be sufficient and will not support research groups outside those who have been given the funding. This will inevitably lead to top-slicing of research grants and a hidden reduction in front-line research funding.

28. Our members’ main concerns revolve around the low level of funding for APCs that will be available, how these funds will be administered, how much the administration will cost (possibly removing more money from already tight funds) as well as in which way fair access to these funds can be guaranteed in the highly competitive and often bureaucratic environment of universities.

29. Under the existing arrangement subscriptions to many journals, often bundled together in so-called “big deals” provide a simplified system of accessing journal content as well as providing a simplified system for the flow of money that sustains the cost of running, editing, printing and/or publishing journals online. Moving to an APC model creates a hidden cost: namely the significant additional in-house administration required within universities’ administration departments and their constituent units.

30. Finally, mechanisms are required to ensure that APC “gold” access payments are taken into account at institutional level during any transitional phase. Many publishers are already working with universities on this and have made appropriate arrangements. However this must be monitored going forwards to ensure an appropriate balance for both publishers and institutions alike.

RECOMMENDATION: The Government should adopt an either/or approach to publication of publicly-funded research: namely either “gold” access with provision of appropriate level of funding or the ability to opt for a 12 month-delayed “green” OA.

RECOMMENDATION: Government, publishers and Learned Societies should ensure appropriate provisions are in place to avoid double payment during any transitional phase, or indeed beyond, and regularly monitor the situation.

Final comments

31. Over many years the UK science base has been well served by the publishing framework both directly by supporting the dissemination of UK science and indirectly through the ability of Learned Societies to re-invest much of the net income back into the science base.

32. During the transition phase, flexibility should be facilitated within certain boundaries: this will help UK academics, institutions and Learned Societies. Most importantly, a pragmatic approach should be taken towards embargos reflecting both the international landscape and differences between disciplines.

33. Finally, Government should welcome the role of diverse Learned Societies who provide essential support to the science base and are an excellent conduit for dialogue. The Physiological Society is run by leading physiologists to ensure that the discipline is sustained and developed and to enhance dialogue through journals, meetings and education and outreach activities.

RECOMMENDATION: Over the next 5 to 10 years continued dialogue should be sustained between stakeholders and an evolution of the Finch Group should be established to meet annually and review developments both within the UK and globally.

7 February 2013

Written evidence submitted by The Publishers Association

INTRODUCTION

1. The Publishers Association (The PA)⁶⁴ welcomes the opportunity to submit evidence to the BIS Select Committee Inquiry into open access publishing. Publisher representatives participated constructively in the Finch working group and The PA has publicly supported the recommendations in the working group report (“The Report”), which have been endorsed as Government policy in the letter from David Willetts MP, Minister of State for Science and Innovation, to Dame Janet Finch of 16th July 2012. The publishers we represent look forward to playing a full role in the implementation of this government policy.

2. Publishers perform a high quality service to the academic research community of authors, researchers, readers and institutions. They support the peer-review and editorial process through which journal editors select for publication only those articles which are methodologically sound and which are judged to be of quality, originality and importance to the discipline. Due to the high quality and impact of this published output, the sector makes a significant contribution to the British economy, both through export earnings and through communicating the performance and standing of the British research community. The UK accounts for a 6% share of articles published globally and for 14% of the world’s most highly cited articles. This value was recognised in The Report, which outlined its “key role in the ecology of research” of publishing and therefore proposed a balanced package of proposals. These proposals recognise that reform must “sustain what is valuable” and proceed in an “ordered way which delivers benefits but minimises the risks”.

3. Given the short timetable for implementation of The Report’s recommendations, for the benefit of all stakeholders in this community—researchers, publishers, funders and institutions—it is vital that there is clarity, not ambiguity on policy. Continued consultation, engagement and co-ordinated action from all parties is essential to achieve this implementation. To date, this has been lacking.

4. As a step towards this greater clarity we welcome the statements made by Research Councils UK (RCUK) to the House of Lords Science & Technology Committee on 29 January 2013, in which they confirmed that their mandates to researchers will comply with Government policy. However, members report from subsequent

⁶⁴ The Publishers Association (“The PA”) is the leading representative voice and trade organisation for book, journal, audio and electronic publishers in the UK. Our membership includes publishing houses in the academic, educational and general trade sectors. Collectively, their revenues total £4bn, 80% of the overall total for the sector.

meetings that RCUK has indicated it may not follow Government policy on some key issues. As we detail further below, we believe that without full and clear implementation of government policy by all parties, there is a risk that confusion and uncertainty will hamper progress.

THE GOVERNMENT’S ACCEPTANCE OF THE RECOMMENDATIONS OF THE FINCH GROUP REPORT

5. The Finch Working Group included representatives of all stakeholder communities—both public and private research funders, the universities, researchers, learned societies, libraries, and publishers. It was this cross section of representation that made it such a success and led to a set of workable recommendations to expand access to research outputs. These recommendations were supported by all stakeholders represented on the Finch Group, and compromises were made by all parties to achieve a sustainable and acceptable “balanced package” of measures to facilitate sustainable open access to research outputs.

6. Throughout the working group process, publishers supported a substantial expansion of the open access publication model, provided that this could be achieved sustainably and with no detrimental impact on the high quality of scholarly publishing in the UK.

7. The Report recommended, and the Government accepted, that the most sustainable way to expand open access to research outputs was via the Gold open access model, (meaning immediate open access to the final published Version of Record of a paper, with extensive rights of re-use, funded through an Article Publication Charge (“APC”)). All stakeholders represented on the Finch Working Group endorsed this recommendation, and have since reiterated their support for the Gold model of OA as the preferred method of expanding access.⁶⁵

8. The Report also recognised that Green open access (meaning deposit in an open access repository of the Accepted Manuscript without any payment to the publisher for its services) would remain an important part of the landscape for some time to come. To this end, alongside support for Gold open access as the preferred publication model, The Report also included an acknowledgment that Green open access can be supported, but only if publishers are able to require a reasonable embargo period before access is enabled via the repository (Government policy recommends 12–24 months in general, depending on the discipline). During this embargo period, the Version of Record can be accessed via subscription and other paid-for means. This is because The Report had sustainability as one of its guiding principles (along with accessibility and excellence) and embargo periods insert sustainability into the system of Green open access through the charging of subscription. It was recommended, and subsequently accepted by all stakeholders and by the Government, that Green open access with shorter embargo periods should not be imposed on publishers except in cases where funding for an APC is available but the journal selected by the author does not offer a Gold open access option.

9. The route to sustainable open access publication is best illustrated through the following decision tree, which has been supplied by The Publishers Association and accepted as a representation of Government policy by BIS:



10. Despite The Report’s recommendations being supported by all participating stakeholders and endorsed by Government, RCUK published policy refers only to a maximum embargo period of 6 months for Green

⁶⁵ See for example, written evidence submitted to the House of Lords Science and Technology Committee, by Research Councils UK and Wellcome Trust.

open access, except, for an interim period for papers arising from research funded by AHRC and ESRC, to which a maximum embargo of 12 months would apply. RCUK has been requested by other stakeholders to clarify its policy in respect of papers for which no funding for payment of an APC is available but has failed to do so, speaking of the need instead for “ambiguity”. Publishers and other stakeholders believe clarity, not ambiguity, is required at the beginning of such a major change in scholarly communications.

11. The lack of clarity continues: RCUK stated in its oral evidence to the House of Lords Science & Technology Committee on 29 January that it would in fact allow longer embargo periods of 12 to 24 months, in line with the above decision tree; however, in a meeting with other stakeholders on 31 January they stated that only the shorter embargo periods of 6 to 12 months would apply. We hope that in the course of the Select Committee’s inquiry, RCUK may come to a coherent position in line with Government policy.

12. Publishers support Green open access, provided embargo periods are long enough to enable them to sustain the subscription journals on which the Green model depends. Author self-archiving (the key component of Green OA) can be part of a sustainable publishing ecosystem if publication costs are covered by subscription fees over an appropriate embargo period. The maintenance of these subscription fees ensures the continuation of high quality journals which academics can choose to publish in.

13. Many publishers already facilitate Green open access, with embargo periods set according to the sustainability requirements of individual journals, which varies according to academic discipline. Due to an anticipated shortfall in funding for APCs, it is likely that a large proportion of research (possibly as much as 55% in year 1) will need to be made available via the green route to comply with funder mandates. This makes it all the more important that RCUK’s policy provides the clarity needed to ensure authors continue to have the choice of where to publish in the absence of APC funding for their preferred journals.

14. As part of the Finch “balanced package”, publishers offered to implement a proposal for free on-site access on an opt-in basis to journals via public libraries across the UK. Our implementation group has been working with colleagues from the public library sector on technical and licensing work streams to enable a launch date in the spring, assuming all other elements of the package (including on embargo periods) are resolved.

Rights of use and re-use in relation to open access research publications, including the implications of Creative Commons “CC-BY” licences;

15. The Government has made clear that it wants the CC-BY licence to be associated with the Gold model of open access.⁶⁶ RCUK policy requires the blanket use of a CC-BY licence for Gold open access publication and requires unlimited non-commercial re-use for Green open access publication. However, as with embargo periods, a similar need for differentiation exists with regards to licensing requirements. In those disciplines, such as humanities and social science, where interpretation and context are crucial, publishers have heard concern in their author communities that the use of CC-BY carries the risk of the misuse of research, for example by presenting extracts in ways that appear to contradict or undermine the author’s meaning. These concerns are sufficiently serious for some authors to refuse to publish on this basis. Ultimately we believe that the choice of licence should lie with the author/researcher and not be the subject of a mandate.

16. Currently, publishers typically charge an APC based on a CC-BY-NC licence.⁶⁷ This enables secondary licensing income to be earned through the sale of reprint rights. (For example, publishers of clinical medical journals currently earn 15–20% of income from reprint rights licensed to pharmaceutical companies and some journals earn more than 50% of their income from reprint rights). A mandated requirement for CC-BY licences will deprive publishers of this secondary licensing income, hence it is possible that the imposition of CC-BY licences will lead to an increase in APCs.

17. The Report spoke of the need to minimise restrictions on the rights of use and re-use, especially for non-commercial purposes and Government policy, set out by David Willets in his letter of 16 July, states that “where APCs are paid to publishers, the Government would expect to see unrestricted access and use of the subject content”, with details of how this should best be achieved to be addressed in the detailed policy statements to be published by the funding bodies. Whilst a CC-BY licence may be one way of achieving this, it is not the only way, and flexibility rather than a mandate of licence type that restricts author choice could be pursued.

18. Similarly, publishers and authors need greater flexibility than the current requirement for unlimited non-commercial re-use to be associated with Green open access deposit (RCUK has spoken specifically of a requirement for CC-BY-NC), even in cases where no funding is provided for APCs. We anticipate that many publishers may be unwilling to accept this requirement, which will only introduce more confusion among researchers looking for a journal that is compliant with the RCUK policy.

⁶⁶ CC-BY is the licence condition associated with the payment of an Article Processing Charge (APC) for publication on a Gold Open Access basis. Gold OA has the advantage of providing unrestricted search and use of the published information by the user. Wellcome and RCUK are proposing to use CC-BY when their research funds are used to pay APCs. See http://www.wellcome.ac.uk/stellent/groups/corporatesite/@policy_communications/documents/web_document/WTVM055715.pdf

⁶⁷ Under a CC-BY-NC licence the user may copy, distribute display and perform the work; and make derivative works, so long as there is attribution of the original author and the work is not used for commercial purposes.

19. Publishers and researchers should be allowed the flexibility to adapt licences according to the individual discipline, the needs of the researchers and the commercial considerations of the publisher whilst ensuring that the aims of funding bodies for access are achieved. One example of an approach to achieve balance is the CC+ licence, current being developed by the International Association of Scientific, Technical and Medical Publishers. This is being designed to add clarity to the Creative Commons definition of “non-commercial” to make it clearer that associating content with advertising is classified as a commercial use and requires extra permissions. It will also more explicitly permit text and data mining by enabling automated searching, sorting, parsing, addition or removal of linguistic structures; it will adhere more closely to the NC-ND⁶⁸ provisions to ensure the integrity of the scientific record, and will enable publishers to take action to protect authors’ rights.

The costs of article processing charges (APCs) and the implications for research funding and for the taxpayer

20. Both The Report and the Government accepted that if the UK is to be a first mover in embracing Gold OA ahead of the rest of the world there would be additional costs to the UK. It is vital that these costs are met to ensure the high quality of research output from the UK continues.

21. Adequate funding for Gold OA, and therefore for the APCs that underpin this model, is necessary to ensure authors continue to have a choice of high quality journals for publication—ie journals which assess a paper not only for the soundness of its methodology but also for its quality or importance to its discipline, and which provide services such as peer review and copy-editing. Without this APC funding authors of high quality research papers may be forced to publish in lower threshold journals which do not publish in line with these higher quality standards. Authors should be able to choose the most appropriate forum for their work.

22. On 8 November 2012, RCUK announced details of the block grant mechanism to fund implementation of its open access policy. It estimates that in the first year this mechanism will cover the Article Publication Charges (APCs) of 45% of RCUK-funded papers, provided that universities supplement the RCUK block grants by an additional 25%. By the fifth year RCUK estimates that its block grants will cover the cost of APCs for 75% of RCUK-funded papers, again assuming a 25% matching contribution from the universities. We are not in a position to comment on the ability of the universities to supplement the RCUK block grants in this way, nor on how they might fund any probable mandate for open access publication from HEFCE. However, we would observe it is possible that some part of this RCUK block grant funding will be absorbed by administration costs in managing the payment of potentially thousands of APCs at any single institution.

23. Whilst the Government’s one-off grant of £10m to kick start the transition to open access was welcome, it is clear that these funds will be insufficient to match the £50–60m a year in expenditure from the HE sector estimated by The Report (£38m of which was estimated for publishing in open access journals).

The level of “gold” open access uptake in the rest of the world versus the UK, and the ability of UK higher education institutions to remain competitive.

24. The Government has made clear its policy objective to make the outputs of publicly funded published research available in reasonable time, and preferably immediately, to UK taxpayers. The UK is certainly a first mover in this regard, and in its adoption of Gold OA as the preferred model within a mixed economy of open access and hybrid subscription journals.

25. The key to ensuring the UK maintains its strong competitive position is by ensuring the policy requirements of researchers are sustainable for all parties. However, as we note above, the apparent intention of RCUK to drive for a policy which does not respect the need for longer embargos where APC funding is not provided directly undermines the long term stability of commercial and learned society publishers.

26. To encourage the development of a Gold OA market, both at home and abroad, the Government should continue to use its influence internationally, in particular with regards to the development of European Union policy, to help facilitate this. We welcome the comments made by Minister of State David Willetts, in his written evidence to the House of Lords Science and Technology Committee, that the UK is impressing upon the European Commission the merits of Gold open access and the need for longer embargos associated with Green open access in certain disciplines.

27. The impact upon UK higher education institutions is difficult to predict, given that the UK transition to open access will not be full and immediate and there is likely to be some transition elsewhere. The Report and the Government both recognise that there will be additional costs to the UK during transition, but as the Minister stated in his written evidence to the House of Lords Science & Technology Committee, this is a “risk which has to be accepted”.

28. To illustrate the potential costs and impact on the UK, it might be useful to consider the following indicative, simplified example:

- Typically, UK higher education institutions spend around £150m on journal subscription and licences.
- Given that the UK accounts for 6% of research, a total move to open access by the UK alone could theoretically lead to a reduction in subscriptions costs of £9m.

⁶⁸ Non-Commercial, Non Derivative

- The cost in provision of APCs of such a move, based on the average APC of £1,727 (as recognised by The Report and RCUK) and an annual UK production of 120,000 papers would be £207m.
- Taken together, UK higher education and funders would therefore see an increase in costs of £198m.

29. We would be delighted to provide any further written evidence which the Committee may find useful, or to provide evidence in oral session if so required.

Richard Mollet
Chief Executive

7 February 2013

Written evidence submitted by the Regional Studies Association

EXECUTIVE SUMMARY

The Regional Studies Association wishes to highlight a number of key points:

- The need for a clear policy setting out the arrangements for the transition to a more fully open access environment in UK publicly funded research. The formal agreement and inclusion of the Publishers Association decision tree and the transition embargo periods in this policy along with a confirmation that authors who are following the green route to open access may have a choice of licenses.
- That the terms of the review of the implementation of open access be consulted upon, include a balanced representation from stakeholders, including from smaller societies and that the review be appropriately timed. It may be the case that more than one review of evidence may be required.
- That RCUK should formalise their position in relation to the learned societies and that assurance be given to the societies that their role in the UK research environment is formally recognised as important. And that if evidence reveals damage to the effectiveness of societies that this will engender a review and mitigating action.
- That HEFCE undertake a full consultation with stakeholders and that there are attempts to have a consistent policy stance across government funded organisations in the UK.

BRIEF INTRODUCTION TO THE REGIONAL STUDIES ASSOCIATION

The Regional Studies Association is an international learned society with a global membership which includes those working in policy and practice. The Association is both multi and interdisciplinary and works to facilitate the highest standards of theoretical development, empirical analysis and policy debate of issues at the sub-national scale, incorporating both the urban, rural and different conceptions of space such as city-regions and interstitial spaces. We are, for example, interested in issues of economic development and growth, conceptions of territory and its governance and in thorny problems of equity and injustice.

The Association publishes two international journals both of which are wholly owned by the Association and both of which are compliant with RCUK open access guidance in being hybrid and permitting the use of the CC-BY license. Our journal of longest standing is *Regional Studies* and we co-publish the journal *Spatial Economic Analysis* with the British and Irish Section of RSAI. In 2013, the Association will launch two new journals, firstly a traditional print and online journal, *Territory, Politics, Governance* which will also be compliant and hybrid and secondly an online only, compliant, open access journal, *Regional Studies and Regional Science*.

Our publishing partner is Taylor and Francis which is part of the Informa Group plc. Our journals are published under the Routledge imprint.

MAIN EVIDENCE

A. The Regional Studies Association embraces the principle of open access and is pleased to engage in the process of making the results of publicly funded research more freely available. We do however have some concerns about the implementation of this policy because its impact on current academic publishing practices will as a consequence, impact upon the way that the Association is currently organised and delivers its services both to members and the wider public.

B. The Association's journals are currently compliant with our understanding of the RCUK policy for research funded wholly or partly by the ESRC/AHRC: this compliance takes the form of a Gold route with CC-BY licence and a green route with appropriate embargo. Authors publishing through the green route are offered the choice of CC-BY among other licences including the publisher's licence. We also comply with relevant repository requirements.

C. In common with a number of other societies, the Regional Studies Association would like to see the publication of a clear policy for the management of the transition period to open access. In particular we wish to see the embedding of the Publishers Association Decision Tree into the policy as its clarity is extremely helpful in setting out the three routes to open access as advocated by Finch. We would also wish the policy to

explicitly state that a choice of licences is possible for those authors who do not have the funds with which to pay an APC and that for the whole of the transition period a 24 month embargo is applicable for HSS.

D. The Regional Studies Association is concerned that its journals are positioned to remain the journals of first resort for our field and that writers in our field are not disadvantaged compared to writers elsewhere in the world. In this regard we strongly encourage careful consideration of the CC-BY licence.

E. At a recent AHRC and ESRC meeting it was revealed that the timing of the review of open access will take place at the end of 2014. We believe that in order to reflect on the process of change and the impacts of this new publishing paradigm, sufficient time needs to be given for the effects of the policy to come into play. If for any reason, a review must take place this soon into the process it will be imperative that a follow up review take place irrespective of additional cost and resource at least two years later. There should be sufficient time for the lessons of the review to be considered and to be incorporated into thinking for the resulting policy. Given the importance of the changes to the research and publishing environment that are being introduced, we would appreciate a formal commitment to an independent review with the inclusion of all stakeholders and a recognition of the need to include not only the big players but also representatives of small stakeholders as the impacts from this policy will be highly nuanced depending upon the field and sub-field of work, the profile of the journal in terms of the policy relevance of the materials that it publishes and the international profile of its authors base.

F. At the 4th February 2013 consultation meeting for stakeholders in the arts, humanities and social sciences, Professor Rylance indicated that if at any point, there was evidence of damage to the learned societies through the introduction of the open access policy, then this would need to be urgently addressed and mitigated. This statement is extremely important to us as an association and indeed to the health of the UK research landscape. A future without the contribution of strong, vibrant and pro-active learned societies would be much the poorer and among other well documented losses including of research and research related support to the academy, there would be the loss of a key level of representation of disciplines and thinking. The learned societies operate at a scale, with a vigour and independence that individual scholars and HEIs would find it hard to replicate. In this respect we would wish to see this commitment to, and recognition of, the importance of the learned societies to be encapsulated within the transitional policy.

G. The Regional Studies Association waits for the HEFCE consultation process to commence. We hope that sufficient time will be allowed so that respondents can offer considered responses and undertake any relevant evidence gathering. The world is watching the UK and it is therefore incumbent upon our policy makers to move in a sure footed manner. There is the danger that unforeseen consequences of our policy such as, the introduction of embargos which are so short that they lead to the cancellation of subscriptions and thus damage society business models, could be replicated elsewhere with a compounding effect.

We hope that you find the views of our Association of interest and value in your consultation and reiterate that we would be pleased to provide clarification on any points that you have.

Sally Hardy
Chief Executive

7 February 2013

Written evidence submitted by The Remote Sensing and Photogrammetry Society

EXECUTIVE SUMMARY

1. Government policy on open access should take into account the following.
 - 1.1. There should be far greater consultation with learned societies, recognising that open access will be a major influential factor on the future of such societies.
 - 1.2. Greater account should be taken of the international context within which UK research publications reside.
 - 1.3. The importance of the Green Route to open access and the need for longer embargo periods for many disciplines needs to be recognised.
 - 1.4. The effect of APCs on the income of learned societies, especially in the context of hybrid journals, should be carefully evaluated.
 - 1.5. A strategy accepting that hybrid journals will be a reality for many subject areas and learned societies should be developed.

INTRODUCTION

2. The Remote Sensing and Photogrammetry Society (RSPSoc) is a registered charity (No. 292647) and is the UK's leading learned society for the disciplines of remote sensing and photogrammetry. Its main role is in the promotion and development of remote sensing and photogrammetry in the context of education, science, research, industry and commerce. Dissemination of scientific research plays a crucial role in these activities and the Society produces three ISI-ranked, peer-reviewed publications: *International Journal of Remote Sensing*

and *Remote Sensing Letters*, both published by Taylor and Francis; and *The Photogrammetric Record*, co-published with Wiley-Blackwell.

3. The Society has very real concerns as to how the uptake of open access (and particularly the Gold model) will affect the RSPSoc's ability to effectively communicate high-quality research, and the impact open access will have on society activities and revenues. The RSPSoc's journal revenues provide funding and support for many of the Society's charitable activities. Currently, 60 % of the Society's income comes from journal royalties, with the remainder derived from membership subscriptions and meeting revenues. This financial structure is likely to be similar amongst other learned societies. Membership of the Society confers free or discounted subscription to these journals and thus forms a major part of an individual's incentive to join. Open access publishing will have a major impact on the financial models and sustainability of learned societies, and the RSPSoc has a keen interest in its immediate and longer-term impact.

4. The RSPSoc recognises the benefits that open access to research publications can bring to individuals, organisations and companies who currently have to pay a subscription or individual article fee to access such papers. However, the implications for the many learned societies that support such publications do not seem to have been adequately thought through.

LACK OF CONSULTATION WITH LEARNED SOCIETIES

5. The RSPSoc strongly feels that the role of UK learned societies in publishing research findings, and the importance of such activities to these societies, their finances and their membership base, has not been fully considered in implementing government's open access policy. The Finch working group on open access included members from the Society of Biology and the Royal Geographical Society; its report (*Accessibility, sustainability, excellence: how to expand access to research publications*) therefore contains some perspectives from learned societies. Page 15 of the Finch report states:

"The UK's prominent position derives in part from its long tradition of publishing by learned societies, and more recently the development of close relationships between them and other publishers. ... They make a significant contribution to the British economy, to export earnings, and (not least through the surpluses used by learned societies to fund their scholarly activities) to the performance and standing of the UK research community."

The Finch report also notes (page 65):

"Publishing and communicating the results of research are core to the missions of most learned societies, and they publish journals to meet the goal of disseminating high-quality research as widely as possible. Many of the journals published by UK learned societies are among the leading journals in their fields."

These observations are certainly the case with RSPSoc and the Society would expect full consultation on such an important aspect of its core activities. This has not been evident to date and we would request that such a dialogue be commenced without delay.

INTERNATIONAL CONTEXT

6. Many UK journals contain a high proportion of papers from non-UK authors, the very international nature of the content contributing to a journal's success. For instance, over 90% of the papers currently published in *The Photogrammetric Record* report research from authors working outside the UK. Whilst this will mean that such authors will not have to commit to open access of their papers as with UK authors, the impact upon such journals as a whole, and their sponsoring societies, needs to be carefully considered.

7. At the two-day conference on Implementing Finch (Academy of Social Sciences, 29–30 November 2012) Felice Levine (American Educational Research Association) made it clear that in the United States, open access will develop along different lines to that reported in the Finch report. She noted that the subscription model is very strong in the US and concern with open access focuses on providing a sound financial model for learned societies. The success of US open-access sites such as Cornell University's *arXiv.org* may have transformed the literature of physics but this does not mean it would readily transfer to other disciplines. A similar concern on this side of the Atlantic from the UK government would be appreciated and again points to much greater dialogue with such societies being urgently required.

8. The shift from a subscription-based publishing model to open access has not been attempted nationally in any other country. Such a monumental change therefore deserves the fullest consultation with all stakeholders, including learned societies both large and small as well as with our international counterparts. Otherwise the UK risks international derision if such far-reaching changes are not undertaken with the widest consultation and agreement.

STM LICENSING AND EMBARGO PERIODS

9. It is clear that core science, technology and medicine (STM) are driving the open access agenda. This makes it vitally important that the views of other areas of science and technology such as remote sensing and photogrammetry, as well as other non-STM disciplines, are clearly heard. The focus on Gold Access, CC-BY

licensing and 6-month embargo periods may be suitable for many branches of physics and medicine but are not appropriate for “slow burn” disciplines such as remote sensing and photogrammetry where Green Access and 12 to 24 month embargo periods may be essential. A “one size fits all” policy is not appropriate and steam-rolling by the science and medical giants, together with RCUK, should not be permitted to blind government to the difficulties for smaller societies.

10. The enforced uptake of CC-BY licensing (eg RCUK, Wellcome Trust funded research) through the Gold Access route, and even CC-BY-NC through the Green route, raises concerns for many authors and, by extension, societies such as the RSPSoc who represent the interests of our members. These new forms of licensing represent a major departure from many existing licensing approaches, and the impact of these have not been fully explored. Moreover, these licences, and particularly CC-BY, are not necessarily appropriate for all fields. Many authors are concerned over the ease with which the non-paying readership (including academics and commercial organisations) will be able to re-work original material, without the author’s permission, and potentially exploit this commercially. There are questions over how effectively these licences can be enforced in the international arena in order to avoid detrimental impact on UK researchers and their intellectual property.

APCS AND HYBRID JOURNALS

11. Many subject areas, including remote sensing and photogrammetry, are not of sufficient size to warrant separate open access and subscription journals. A hybrid model, where a journal accepts open access papers together with traditional subscription-funded papers, is therefore inevitable. In such a situation the article processing charge (APC) will be critical, as will the commensurate reduction in subscription fees expected by members. While the Society and its publishers will, of course, be totally compliant with government open access policy, dialogue is again essential if learned societies are not to be disadvantaged (or, indeed, their futures threatened) by APCs and the hybridisation of their journals.

CONCLUSIONS AND RECOMMENDATIONS FOR ACTION

12. The primary request from the RSPSoc, which permeates this submission, is improved dialogue between government and learned societies in the implementation of open access policy. It will have a profound effect on numerous organisations such as ours which contribute enormously to disseminating developments in research and whose members voluntarily devote inordinate amounts of time and effort to its activities. In its submission to the House of Lords Science and Technology Committee Inquiry into Open Access, the Publishers Association stated: “*The RCUK has acted unilaterally and in isolation. Successful implementation of Government Policy will require close collaboration between all stakeholders.*” Learned societies are leading stakeholders and RSPSoc believes that such collaboration is vital for the health of all future UK research.

13. Learned societies are different to commercial publishers as they go beyond purely financial models; they seek to maximise impact, not income. The Finch report acknowledges the importance of maintaining a high-quality, sustainable publishing system that disseminates quality-assured research findings, and provides high standards of service to both authors and readers. The effect of APCs and hybrid journals on societies needs to be discussed in depth between all interested parties.

14. The international nature of many UK journals should be fully recognised and the international context of UK journal publishing needs to become central to the implementation of open access. As the Finch report notes, there are limits to what can be achieved in the UK alone, and international cooperation on this issue is vital.

15. The importance of the Green open access route with longer (12 to 24 month) embargo periods needs full discussion in the context of *all* research disciplines. The Gold route may be appropriate to STM disciplines, but this does not necessarily apply to other subject areas.

16. The impact of Gold Access enforced CC-BY licensing needs to be more fully explored and more flexible licensing approaches, better suited to the needs of individual disciplines, should be considered for both Gold and Green Access routes.

17. The achievability of real and effective increases in access to publications is supported by RSPSoc. The future of learned societies such as RSPSoc and their publications, whose reputations have been painstakingly developed over decades, should not be sacrificed by implementing measures that have not been fully debated. The dangers of unintended consequences are very real.

Written evidence submitted by Research Libraries UK (RLUK)

1. Research Libraries UK (RLUK) represents 33 major research libraries across the UK, including those in the Russell Group of universities. We believe that the UK should have the best research library support in the world.

2. Under the current model of scholarly communications UK HE libraries spend over £150 million annually purchasing subscriptions to a selection of academic journals, with some of our larger universities spending over £1 million per year on the journals of a single publisher.

3. No library can purchase all of the journals, and by extension all the articles, that researchers need to be fully effective. Not even the most well-funded libraries in the world are able to fulfil all the information needs of all their researchers. In 2012 Harvard library, possibly the world's best-funded university library, announced that it could no longer afford to sustain current levels of journal purchasing.⁶⁹

4. This results in gaps in the knowledge base. Most worrying, a UK researcher being funded by one of the UK Research Councils may not have direct access to all of the research published by other UK researchers working in the same field and funded by the same Council.

5. Therefore, RLUK wholeheartedly welcomed the statement made by the Minister of State for Universities and Science, the Rt Hon David Willetts MP, that the "Coalition is committed to the principle of public access to publicly-funded research results"⁷⁰.

THE FINCH GROUP

6. RLUK was one of the stakeholder groups represented on the Finch Group, through Phil Sykes the Librarian at Liverpool University and past Chair of RLUK. Therefore RLUK broadly welcomes the support for open access with the Report *Accessibility, sustainability, excellence: how to expand access to research publications*.

7. The Finch Group concluded that a move towards open access for UK-funded research was desirable and proposed mechanisms for an orderly and phased transition from the current model to a mixed, open access model. However, there were two areas within the description of the transition which RLUK believes could have benefitted from more careful consideration.

8. The Finch Group was explicit in that it did not commission research into the current state of scholarly communications, but relied on existing evidence to reach its conclusions. Therefore, it may have underestimated the success of existing UK policies on open access.

9. For example, following extensive consultation with all stakeholders, the Research Councils announced an initial open access policy in 2005 whereby their grantees were requested to deposit copies of their papers in suitable repositories, where allowed to by the copyright constraints of the journals they published in.

10. The initial RCUK policy was relatively "soft", with no sanctions for those who did not follow it and options to opt-out if copyright conditions in specific journals did not allow for deposit.

11. However, despite the "softness" of these policies we now see approximately 40% of UK articles freely available. This is double the global average of 20%. Relying on the figure for the global average led the Finch Group to conclude that the "green" route to open access was not successful and created a focus on the gold route.

12. Evidence from institutions worldwide where deposit mandates have been strengthened show that compliance rates can very quickly (within a couple of years) exceed 70% of total research output.

13. Therefore, we believe that rather than sidelining the green route, a more efficient strategy would have been to strengthen the current RCUK policies to make deposit in green repositories mandatory, making all UK-funded research freely available through repositories irrespective of whether the papers are published in open access or subscription journals. This would create an invaluable resource allowing all of the UK's research outputs to be searched, discovered, read, and knowledge contained within them build upon.

14. Support for the gold route, through the provision of funds to pay for article processing charges (APCs) where levied, could then have been included as a parallel strand, supporting those disciplines in which gold OA is more developed and encouraging its development in other disciplines.

15. The second area of concern in the Report of the Finch Group is around the length of time following publication before a paper can be made freely available. Any embargo period is a compromise for the benefit of the publisher. Research is most valuable when it is immediately available and delays inevitably reduce its utility.

16. RLUK supports the shortest possible embargoes and we should work towards a point where embargoes are zero. This is already the case in some academic disciplines. For example, in high-energy physics researchers

⁶⁹ <http://isites.harvard.edu/icb/icb.do?keyword=k77982&tabgroupid=icb.tabgroup143448>

⁷⁰ <https://www.gov.uk/government/speeches/public-access-to-publicly-funded-research>

routinely share their papers well before publication on the subject-based repository arXiv. These papers are read, digested and often cited by other researchers *before* “formal” journal publication.

17. There have been concerns raised that shorter embargo periods could result in a fall in subscription levels, leading to the failure of journals. However, over the past fifteen years of increasing levels of open access there has been no evidence to support the contention that short embargo periods damage journals.

- (a) As mentioned above, high energy physicists have been sharing their papers freely for 20 years. No physics publisher has reported any adverse effect on their subscription levels.
- (b) Many journals already make their archives freely available with embargoes as short as 3 months.
- (c) Almost all journals allow the deposit of author versions of manuscripts in repositories on publication (60% allow the peer-reviewed version, 27% the pre-peer-reviewed version)
- (d) Some journals, such as *Nature*, explicitly encourage authors to deposit their papers in repositories with a six month embargo.

18. It is clear that publishers would not make their archives available after short embargoes or allow no-embargo deposit by authors if they saw any effect on their subscription levels.

19. In 2012 the extensive €4 million, multi-year PEER project reported.⁷¹ This EC-funded project run by the international publishing association, STM, looked to address the issue of embargo periods by comparing journals with different deposit rates and policies. It found no evidence to support the contention that journals in which authors made their papers freely available after embargo periods suffered any greater subscription loss than those that did not.

20. In the Report of the Finch Group there is a distinction made between STEM subjects and social sciences, arts and humanities. While the suggested embargo for STEM subjects is 12 months, for research in social sciences, arts and humanities the suggestion is 24 months. Unfortunately, these figures are not supported by any strong evidence and there is no evidence that supports the need for variable embargo periods for different disciplines.

21. The standard argument in social sciences and arts and humanities is that as these journals have a longer citation half-lives (a longer “shelf-life”) and papers are still referred to after a longer period they must have a longer embargo. However, evidence of long-term interest is no evidence of lack of short-term interest. Researchers in all fields want access to the latest research and will not tolerate their library requesting them to return in a year or two’s time when the articles they want to read will be freely available. Therefore, despite the longer shelf-life of articles in some disciplines libraries will continue to take subscriptions.

RIGHTS OF USE AND RE-USE

22. Currently, the electronic journals and databases that UK libraries purchase access to are sold under a bewildering array of differing terms and conditions. Some of these terms and conditions place limits on the numbers of simultaneous users of the products, the people within the institution who can have access, whether the university can offer access to walk-in users, etc. While there has been some efforts to standardise terms and conditions there is still a high administrative overhead in our institutions keeping track of the numerous variations.

23. Therefore, RLUK welcomes the move to standardisation of terms under which UK-funded research will be made available. We also welcome the move to the most liberal licenses, including those from the Creative Commons. Scholarly research is at its most valuable when it is widely distributed and widely built upon. The Creative Commons licenses, and in particular CC-BY, allows this wide distribution, while giving researchers the traditional protection of ensuring that they are attributed for their work.

24. The CC-BY license also allows for greater clarity around text and data mining. A report in 2012, *Value and Benefits of Text Mining*⁷², highlighted both the potential benefits of text and data mining in promoting science and research, together with the barriers. One of the most prominent barriers is the uncertainty surrounding the current copyright regime and to what extent mining content to which one has legal access is permissible. Moving to a CC-BY license removes that ambiguity and allows for text and data mining.

COSTS OF ARTICLE PROCESSING CHARGES (APCS)

25. It is acknowledged by all stakeholders that to move from the current, limited-access, subscription-based environment to a fully open access environment will take a number of years. This transition will be complex as institutions will have to simultaneously pay publication fees to make their own papers open access while still purchasing subscriptions to journals. We note that RCUK is only offering to cover 80% of publications costs and believe that this shortfall will inhibit the transition. We also note that a move to APC payments will place an added administrative burden on institutions and we call on RCUK to allow for flexibility in spending of block grant monies to cover these costs.

⁷¹ <http://www.peerproject.eu/>

⁷² <http://www.jisc.ac.uk/publications/reports/2012/value-and-benefits-of-text-mining.aspx>

26. A long term goal of a shift to open access will be to realise a fully-functioning market in article processing charges. An effective market will result in the total system costs of scholarly communications being lowered for the UK.⁷³ As a community we require better monitoring of spending through all channels (subscriptions and publication) to ensure that we manage this transition successfully. RLUK is already working with other stakeholder groups to put in place effective monitoring procedures and we look forward to support from RCUK in calling for greater transparency and openness in publisher pricing.

27. In particular, it is important that any increase in spending by the UK research community on publication charges is matched by decreases in the subscription costs UK libraries pay. It would be unacceptable for publishers to “double dip” and receive payment from the UK twice—both through subscriptions and article processing charges.

28. We welcome the commitment of RCUK to review the effects of the open access policy in 2014. However, we would urge for a careful review and monitoring throughout the five year transition period to pick up on any trends in changes of publication licensing, embargo periods, author publication patterns, effects on different disciplines, interaction with preparations for the next REF, etc and to ensure that any unexpected consequences do not undermine the policy drivers of wider dissemination and efficient modes of scholarly communication.

WORLDWIDE UPTAKE OF OPEN ACCESS

29. Although the UK is a vital player in research internationally, our total contribution to the research literature stands at only 6% of all papers published annually. It is therefore vital to consider our position in relation to other countries and important to note that the RCUK policy is part of a world-wide move towards open access.

30. The world’s largest non-military research funding agency, the US National Institutes of Health (NIH), invests over \$30 billion annually in medical research. It has had an open access policy for a number of years whereby researchers who receive NIH grants are required to make copies of their papers freely available after an embargo period. Researchers in the UK now have free access to this repository of over 2.5 million articles in biomedicine and the life sciences. Discussions regarding the possibility of extending this policy to other US federal funders are ongoing.

31. While the NIH is the largest single funder, other research funders from around the world are increasingly realising that the dissemination of research findings are an integral part of the research process itself. Many of them have put in place, or are developing, open access policies. Of particular note are the policies from Swedish and Norwegian research funders that share similarities with the RCUK policy. There are also similarities with the proposed policy developed for the next European Framework programme, Horizon 2020. In addition, many universities worldwide are adopting open access policies. The RCUK policy should be seen as part of a world-wide drive towards open access.

CONCLUSION

32. Open Access allows universities to plug the information gap described above, allowing all UK researchers access to publicly funded research output. (It also has the welcome benefit of giving access to researchers at SMEs, teachers, journalists, policy makers, life-long learners, patients and the insatiably curious.)

33. Therefore, RLUK strongly supports the lead that the Department of Business, Innovation and Skills and the Research Councils are taking in the move towards a fairer and more efficient model of scholarly communication. RLUK will work closely with other stakeholders to implement the revised policy in as streamlined and effective manner possible.

7 February 2013

Written evidence submitted by Rolls-Royce plc

INTRODUCTION

1. Rolls-Royce is a FTSE 50 global company providing integrated power solutions for customers in civil and defence aerospace, marine and energy markets. It employs 42,800 people worldwide (22,800 in the UK) and invests over £900 million a year in research and development (R&D).

2. In addition to our in-house R&D capability, Rolls-Royce undertakes advanced research via a global network of 28 university technology centres (20 in the UK). Each centre uses a combination of private and public funding to undertake specialist work in a particular engineering field, led by world-class academics. In 2012, we celebrated the 21st anniversary of this network which continues to thrive: in October 2012, together with the University of Birmingham, we announced a new £60 million centre for research into high-temperature metallurgy. This is the latest in a series of 7 new research and advanced manufacturing centres Rolls-Royce has helped to establish (5 in the UK) in the past 4 years. These centres, which are the result of collaboration

⁷³ <http://www.rin.ac.uk/our-work/communicating-and-disseminating-research/heading-open-road-costs-and-benefits-transitions-s>

between governments, universities and industrial partners, form a vital bridge between the creation of a concept and industrial application.

3. We welcome this opportunity to submit evidence to the inquiry into Open Access. Our submission seeks to add additional information based on our own practical experience.

WE BROADLY SUPPORT OPEN ACCESS BUT QUESTION WHETHER THE FOCUS ON GOLD AND GREEN MODELS IN THE FINCH REPORT REFLECTS THE NEEDS OF ENGINEERING

4. As a global industrial company with strong UK-based academic and SME partnerships we welcome proposals that will make engineering and scientific discoveries more easily available to researchers and innovators who can work with Rolls-Royce to translate their discoveries into marketable products and services that will provide high quality jobs and benefit the UK economy.

5. Rolls-Royce takes a proactive view of the importance of publishing research results to promote the benefits of Rolls-Royce technology to its investors, customers, governments and future collaborators as well as to gain recognition for its academic partners. In 2012 Rolls-Royce and its academic and industrial partners authored nearly 800 technical conference papers, theses and journal articles, mostly covering research that was at least in part publicly funded.

6. Very little, if any, of this research is published in the academic journals that are the focus of the gold and green open access models, rather it is either retained in the universities' own libraries (and increasingly published on their websites), or published at technical conferences organised by a wide range of professional societies and institutes such as the Royal Aeronautical Society (RAeS) and the American Society of Mechanical Engineers (ASME). Rolls-Royce attended over 200 such conferences in 2012, together they form a global ecosystem populated by large industrials, SMEs and academics that is a very effective means of not simply disseminating research results, but also connecting together those that conduct research and those that can exploit it commercially.

7. The Finch Report at para 2.2 recognises the importance of conferences to engineering but then goes on in footnote 6 to discount "conference presentations and posters which are published only in the sense that they are made available at the conference in question and after that on a conference website". We feel this is a serious oversight, and share the concerns expressed in the evidence of numerous universities and societies that the focus on the gold open access model may divert funds originally intended for research to fund article processing or publishing charges (APCs). To this we would add (in the context of our field of engineering) that we believe that limited budgets for research dissemination are better spent promoting direct interaction between researchers and users of technology (such as occurs at conferences) than on funding APCs to publishers.

OPEN ACCESS MUST NOT BE CONFUSED WITH OPEN DATA

8. Inevitably there is a chance that open access to research publications can be confused with a perception that the public should have access to the entire body of data created in the course of publicly funded research ("open data"). The Finch Report addresses the publication of results that the researchers have themselves already decided to put into the public domain, it rightly does not seek to question the extent of research content that should be published. The field of publicly funded research is broad and the benefits to the UK similarly so, ranging from creative and social through health and education to economic and commercial. The balance required between publication and confidentiality varies enormously across this spectrum.

9. Industrial participation in publicly funded research brings background knowledge and commercial context that greatly enhance its relevance and exploitation potential for the benefit of the UK. Preserving confidentiality over certain research data and the industrial context in which it has been created is essential to realising the economic benefits of engineering research and to maintain industrial competitiveness. As demonstrated by Rolls-Royce's long-standing successful industrial/academic partnerships, it is possible to balance the academic need for publication and industry need for confidentiality where the outputs of research are commercially sensitive. Any move towards open data would be unnecessary and detrimental to the benefits of industrial participation in publicly funded research.

Richard North
Head of Intellectual Property Licensing & Control

5 April 2013

Written evidence submitted by Royal Anthropological Institute

Executive Summary: It is feared that an unintended consequence of the implementation of Open Access will be to impact adversely on UK learned societies such as the Royal Anthropological Institute and their charitable activities. Suggestions are made as to how this may be ameliorated.

1. The Royal Anthropological Institute is a medium-sized charity which serves the subject of anthropology in this country and abroad. It has a world-wide reputation. In total, there are approximately 1700 individual subscribers across different categories of membership.

2. It employs some fourteen staff (many of whom are part-time), who administer its fellows, specialist committees, publications, and public programme of lectures and conferences.

3. The RAI is open to all: there is no restriction on any person who might wish to join.

4. Annual dues are modest. The full Fellows rate is £79 (plus VAT) per annum, in return for which a Fellow receives some eleven publications (six issues of *Anthropology Today*; five issues of the *Journal of the Royal Anthropological Institute*). They also have complete access to the electronic back-catalogue.

The student rate is subsidised, therefore even lower. A subscription costs £30 per annum, for which the Student Fellow receives *Anthropology Today*, and electronic access to the Journal of the Royal Anthropological Institute and its complete back catalogue.

5. The *Journal of the Royal Anthropological Institute* editor and reviewers receive no stipend.

6. The Fellows likewise receive no payment for serving on the Institute's committees. This means that the RAI, and the public more generally who are interested in anthropology, gain many thousands of hours *pro bono* advice from the leading persons in the field.

7. The RAI has, over the course of its existence, had a profound impact in increasing the capacity of anthropology in this country and abroad, serving to encourage major initiatives, support younger scholars, encourage anthropology in schools, support ethnographic film making, and frequently acts in an advisory capacity as requested by research councils or government.

8. The small infrastructure which supports this much wider activity is reliant upon the income from institutional subscriptions to the Institute's publications.

9. Institutional subscriptions are sold as part of a package by Wiley Blackwells on behalf of the RAI. Through these, the Journal has a global reach. There are approximately 90,000 article downloads a year.

10. These institutional subscriptions to the *Journal of the Royal Anthropological Institute* and *Anthropology Today* are not expensive compared to many of the figures which have been quoted during the debate on open access. Freestanding access costs approximately £500. However, when it is part of the wider Wiley's package, it costs a fraction of this (individual arrangements may vary, but perhaps no more than a third or a half). These packages go to many thousands of institutions. To poorer countries the package as a whole is free.

11. At present, then, a successful British institution has a global reach for a product which is both wanted and reasonably priced. The money is entirely reinvested for charitable purposes. The venture as a whole is a net contributor to the UK trade balance.

OPEN ACCESS

12. We understand that the purpose of the enquiry is to comment on the implementation of Open Access.

13. The implementation of Open Access in cases such as ours, when our material is already very widely and cheaply available internationally, and the money gained used to support *pro bono* activities, may be unintentionally destructive. There is a very real danger that the move from a subscription model to Open Access may reduce rather than enhance the capacity of the field. We fear that our income will drain away, the RAI's infrastructure reduced to a level when it can no longer support its committees, and the journal cease to exist.

It is our understanding that other learned societies, especially in the humanities and social sciences, similarly fear the effect that Open Access will have on their financial and operational viability.

14. We would propose that learned society journals below a certain threshold cost-wise (say £500 a year headline fee) be permitted to remain subscription based. This would enable efficient operations such as ours, which are already very open, to continue to provide vital services to scholarship whilst preventing profiteering.

We should emphasise afresh that any individual, and particularly students, can already subscribe to us direct extremely cheaply. We are, already, to a great degree "open". This existing openness has not been recognised in the debate so far.

15. If an exception cannot be made for small operations such as ours, we would suggest that a three-year green embargo period be permissible.

16. We would like to propose that the above may be combined with a requirement for the *principal* publication from any RCUK funded grant to be gold, this to be assessed through the grant reporting procedures.

17. For RCUK to distribute gold access on the basis of research grants awarded would be quantifiable and transparent. We do not feel that the present proposal to distribute gold access payments through the universities is likely to be fair or equitable to all scholars: on the contrary it is likely to cause great disagreement and be potentially open to accusations of abuse.

18. It is not yet clear to what extent *all* publications from UK academics will be disbarred from all subscription outlets, for which we feel there remains an important place provided that they are modestly priced.

19. If however, the above clarification is made, and gold access administered through the research grant system, we believe that it may be possible to achieve a dual model where all RCUK research is published gold, but modestly-priced subscriptions remain an outlet for those with a special interest in that area.

Should this dual model be achievable, the move to Open Access is conceivably possible without jeopardising the well-being of the many learned societies in this country which contribute crucially to the intellectual life of the nation, and are responsible for the learned journals upon which the high international reputation of the country rests.

20. On the related issue of creative commons licensing, we feel that the issue is not yet fully understood by UK authors. We believe that there will be an overwhelming weight of opinion against creative commons licensing that permits reproduction without consent. In areas such as the social sciences, for example, authors often choose their outlets very carefully, and would be totally against their writings being taken by others, even with attribution. This means that we advocate “Non-commercial with no derivatives”.

However, our suggestion would be that there is need for a separate and careful enquiry into this issue alone, because licensing has profound implications, both for scholarship and intellectual property rights.

6 February 2013

Written evidence submitted by the Royal Astronomical Society

EXECUTIVE SUMMARY

1. This is the formal submission to the BIS Committee inquiry into Open Access from the Royal Astronomical Society (RAS). With around 3750 members (Fellows), the RAS is the leading learned society representing the interests of astronomers, space scientists, planetary scientists and geophysicists.

2. Our response centres on three of the four key points raised by the Committee; namely the acceptance of the Finch Group Report, the costs of Article Processing Charges (APCs) and the level of “gold” open access uptake in the rest of the world.

3. The RAS is concerned about the implementation of the Finch recommendations by Research Councils UK (RCUK). The resulting guidelines endorse the “gold” model for Open Access publishing, but do not give a clear policy steer on the way in which researchers in higher education institutions will be able to access APCs. Furthermore, there is no guidance on how research groups should handle international collaborations, in particular where a UK researcher is not the lead author on a paper.

4. The Society has additional concerns about the cost of APCs. For the most active research groups and for most journals, these are likely to be significantly higher than their current institutional subscription.

5. We also urge MPs to investigate the issue of international competitiveness further. It appears that no other nations (including other EU members, China, Japan and the United States) have so far adopted the Open Access model being implemented in the UK. The Society is concerned that researchers in the UK will therefore be at a competitive disadvantage as their peers elsewhere can read their work at no fee, whilst potentially British scientists will need to pay to view published articles.

INTRODUCTION

6. With around 3750 members (Fellows), the Royal Astronomical Society (RAS) is the leading learned society representing the interests of astronomers, space scientists, planetary scientists and geophysicists. We are therefore keen to respond to this inquiry as it affects both the activity of a large fraction of our membership and the business of the Society itself.

7. Along with many other learned societies, such as the Geological Society and the Institute of Physics, the Society receives a significant fraction of its income through its publishing activities. This allows the RAS to remain independent of Government as we do not receive any direct funding from the public sector.

8. Our publishers, Oxford University Press (OUP), are a not for profit enterprise. The RAS sees many benefits from using a professional publisher including a consistent journal “brand”, professional copy editing, language improvement services, indexing, journal marketing, currency conversion, control of permissions and rights, support for authors against plagiarism and new access technologies.

9. As a registered charity the Society must by law use its income, including that derived from publishing, to serve its charitable objectives. In the case of the RAS the publication surplus funds activities including 15–20 scientific meetings per year, student and post-doctoral travel grants and undergraduate summer bursaries, underpins accessible journals such as *Astronomy* and *Geophysics* and supports open lectures for the public. All these activities directly or indirectly contribute to an environment in which more science is accomplished and therefore more science is available for publication. We therefore argue that this publication income contributes to a virtuous circle if intelligently deployed.

10. Our major publication activity through OUP consists of the two peer-reviewed journals *Monthly Notices of the Royal Astronomical Society* (MNRAS) and (with the German *Geophysische Gesellschaft*) *Geophysical Journal International* (GJI).

11. *Monthly Notices* is a world-leading primary research journal in astronomy and astrophysics. It is circulated to 4446 institutions worldwide with a further 1663 institutions receiving it through a third party database. In addition there is a philanthropic circulation of this journal to 173 libraries and institutes in developing countries. The number of papers submitted to MNRAS is increasing by 5–10% each year. 2551 papers were accepted in 2012, of which 575 (23%) were from the UK.

12. GJI is a journal covering all aspects of theoretical, computational, applied and observational geophysics. Over 4000 libraries worldwide have access to this journal. Paper submissions to GJI increased by 11% from 2010 to 2011 but remained steady in 2012. 475 papers were accepted in 2012, of which 37 (8%) were from the UK.

13. Both MNRAS and GJI are “hybrid” journals that allow papers to be submitted on a “gold” Open Access basis (whereby authors pay an Article Processing Charge (APC) once their paper is accepted) or through a more conventional embargoed route (so called “green” Open Access). In the latter case authors can publish at no cost but papers are not freely available for three years. The Committee may wish to note that until now the Open Access option for our journals has been little used, with only one or two requests each year.

14. According to the RCUK guidelines, MNRAS and GJI are already compliant with the new Open Access policy. RCUK stipulates a preference for publication through gold Open Access but allows researchers merely to publish in a journal where this option is available.

15. Committee members may be interested in exploring the role of online repositories like arXiv (see www.arxiv.org). This contains copies of papers in subject areas across astronomy and physics (although not yet geophysics). Researchers often upload their papers at the time of submission to journals and then subsequently add a revised version once their work is accepted for publication. In the case of MNRAS, around 90% of papers are placed in arXiv where they are freely available.

16. UK astronomy researchers thus appear to value both routes, with publication in a respected journal and in arXiv being the best way to give their work both the stamp of peer review approval and to disseminate it to the widest possible audience.

17. Astronomy papers have been placed in the arXiv repository since 1992. We are not aware of any evidence that there has been a significant take up of this resource outside of the scientific community. It therefore seems unlikely that the new Open Access regime will lead to a significant widening of the research paper readership.

18. The community of researchers in astronomy and space science has however been heavily and successfully involved in “science and society” activity for many years, with a key aim of this work being to explain complex topics to a diverse audience. Taking this activity and the existence of arXiv into account, the Society is thus unconvinced that further developments in Open Access will result in an increase in public engagement in these disciplines.

The Government’s acceptance of the recommendations of the Finch Group Report “Accessibility, sustainability, excellence: how to expand access to research publications”, including its preference for the “gold” over the “green” open access model

19. Following the publication of the Finch Group Report, RCUK moved quickly to publish its guidelines for dissemination of research results derived from public funding.

20. In the UK, astronomy and geophysics researchers are mostly funded by the Science and Technology Facilities Council (STFC) and the Natural Environment Research Council (NERC).

21. STFC therefore use the RAS to liaise with the astronomy community via convened meetings such as our Astronomy Forum. This brings together heads of groups and external contributors to discuss current science policy issues. We have plans in place to establish formal mechanisms for dialogue with NERC but these are at a nascent stage.

22. STFC has been diligent in outlining how the new Open Access regime will affect funding and how they plan to implement this system. Community interaction with eg RCUK has been more limited and there remain concerns about issues such as international competitiveness and the administration of funding with higher education institutions.

23. We urge Committee members to examine this in more detail. Learned societies are a key stakeholder and a conduit for the views of the scientific community, so engagement with institutions like the RAS is essential.

24. We further believe that the peer review model is vital to the scientific process, and that the management of this is underpinned by a sustainable income stream, something recognised by the Finch review. Many of the most distinguished scientists describe how their published papers benefit from inputs from their peers and how the final version may be quite different to the original draft. The Open Access reforms should not be allowed to threaten what has until now been a successful model that gives UK science its strength on the world stage.

25. Whatever developments take place in scientific publishing, if the benefits of publicly funded research are to be delivered and maintained, both for the science itself and for any applications, then we recommend that certain basic principles are adhered to:

- (a) Highly quality scientific journals must maintain peer-review by independent professional experts in the field if they are to retain the confidence of readers and contribute soundly to scientific progress.
- (b) Any scientific publishing system must maintain an accessible “version of record” in a sustainable way which is also capable of migrating to future technologies.
- (c) There should be no undue restriction on scientists to publish in the journals of their choice and at the rate their scientific discipline demands.
- (d) Whatever business model develops for high quality scientific journals, the responsible agencies must provide the funds needed to maintain the quality of publications and the academic freedom of the authors, as outlined in the recommendations (a)-(c) above.

The costs of article processing charges (APCs) and the implications for research funding and for the taxpayer

26. There are a number of challenges and concerns that have been raised by the scientific community around the management of APCs.

27. Through the implementation of the Finch review recommendations, library funding that covered journal subscriptions has been moved out of the Higher Education Funding Council for England and the equivalents in Wales, Scotland and Northern Ireland to RCUK and will now be distributed to the central administration of grant receiving higher education institutions (HEIs).

28. Researchers in universities have a number of concerns about the way in which this will operate. Until now, the decision to publish a paper lay in the hands of the researcher as in most cases this was done at no charge. In the new regime, RCUK funded researchers are effectively mandated to publish their work as Open Access. Most peer review journals will demand an APC for Open Access papers once they have been accepted. It may then fall to senior university managers, who do not necessarily have expertise in the scientific field, to decide whether they wish to spend a portion of their budget on an APC. In any case it is at present unclear how research groups will access APC funding.

29. There is a further risk that research-intensive institutions may be penalised for their activity, in that they pay more for APCs for publishing papers than they did to subscribe to journals.

30. HEIs not in receipt of RCUK grants will not have access to the new APC funds, so researchers there may be disadvantaged as a result. RCUK guidelines indicate that 99% of researchers will be unaffected, but we recommend that this, the overall costs of moving to the new model and its implementation are closely monitored as the rules change.

The level of “gold” open access uptake in the rest of the world versus the UK, and the ability of UK higher education institutions to remain competitive

31. As far as we can tell the UK is the first country in the world to announce the adoption of an Open Access policy for all publicly-funded research. Australia has now done the same but this is not yet the case for major research competitors such as the United States, other EU nations, Japan and China.

32. The RAS is concerned that this places UK based researchers at a competitive disadvantage. Here researchers will need to pay an APC, after which their work will be freely available to anyone in the world. In other countries researchers can continue to publish in journals at no cost but UK researchers may well need their institutions to pay an article fee or subscription to read the work of their scientific peers.

33. The RAS therefore believes that the UK government should act swiftly to resolve these concerns and Committee members may wish to explore this further. We recommend that negotiation takes place at EU level and in other international bodies to work to harmonise national scientific publishing policies.

34. International research collaborations are commonplace in astronomy and geophysics and the lead scientist in these teams is often the first author on any publications that result. If the team leader is based in the UK, they may in future ask a colleague overseas to take the first author role and avoid the APC, but in the process

reduce the credit given for their work. The new RCUK policy does not address this issue and we recommend that this is clarified as a matter of urgency.

7 February 2013

Written evidence submitted by the Royal Economic Society

The Royal Economic Society (RES) is the Learned Society that represents economists in the UK and is the oldest one of its kind in the world; its forerunner was founded in 1890 and the current society's royal charter dates from 1902. It has approximately 3,000 paying members, of whom 60% are based overseas, and publishes two leading peer reviewed journals (the *Economic Journal* and the *Econometrics Journal*). After taking account of production costs, 54% of our annual revenues are generated by these two journals and a further 20% are generated from membership fees. These are used to further both teaching and research in economics, to run a major international conference and to support numerous funding initiatives such as PhD Research Fellowships, The Economics Network, research grants and activities taken in conjunction with Economics teachers in schools. With current funding cuts elsewhere in UK Higher Education, such activities are increasingly essential.

INTRODUCTION

Open Access (OA) publication has been developing in many disciplines in recent years. In the UK, research councils have encouraged this by requiring that the final versions of accepted papers be placed in institutional repositories for free access. Numerous journals have supported this by allowing the final copy-edited versions of their contents to be placed in these repositories or on individual websites after an embargo period.

OA has gained a new degree of prominence, however, as a result of decisions made by the Government and the research councils in 2012. These seek to encourage OA publication, at least for publicly funded research, and have raised questions about the appropriate levels of OA and delivery mechanisms for achieving these. In particular, the Finch Review argued for Green OA (funded by subscriptions) and the encouragement of Gold OA (where copy-edited output is immediately available to all-comers, free of charge—funded by an “Article Processing Charge”). BIS immediately supported this and RCUK introduced a new policy favouring Gold OA (and allowing Green OA with a 12 month embargo period for Human and Social Sciences (to be reduced to 6 months within a year). At a subsequent meeting (on February 4, 2013), ESRC and AHRC raised the embargo period for Green OA to 24 months for a “transitional” 5 year period, with lower embargoes and Gold OA as the ultimate goal.

While we support the broad goals of OA, we have concerns about the effects of current policy directions on our discipline (Economics)—in particular, on its international competitiveness—and on our Learned Society (the Royal Economic Society—the RES). We believe that these concerns apply to (and are shared by) many other disciplines; indeed, we would encourage the Select Committee to read the Academy of Social Sciences' recent statement on OA (“Open Access: the view of the Academy of Social Sciences”, January 13, 2013) which we believe summarises the wider arguments very well. From an economic viewpoint, there are clearly some general concerns about the impact of the OA roadmap, as set up in the Finch Report, for the UK university sector at a time of funding cuts.

In what follows, we discuss several approaches to open access publication, including alternatives to the current policy direction.

GOLD ACCESS

Gold access involves authors being allowed to make publicly available (free of charge) the journal version of their published work as soon as it is published. Because this undermines the traditional subscription-based means of paying for journals authors pay an Article Processing Charge (APC) to the journal upon the initial submission of their papers. Although used by a number of journals across various disciplines, there is currently no requirement on authors to publish in Gold access journals. The Finch Report, however, argues in favour of a move towards Gold access and both RCUK and HEFCE are supportive of this. As a result, for the first time in the UK (or elsewhere to the best of our knowledge) there is strong public policy momentum in favour of Gold access.

We have a number of concerns about this:

1. *The international dimension.* Our discipline is a highly international one: the ESRC International Benchmarking Review of Economics confirmed that UK economists publish heavily in internationally excellent journals and that Economics Departments employ a high proportion of non-UK staff. As such, a policy that is not coordinated with the UK's major international competitors in terms of where home-based academics can publish is likely to damage the international excellence of their output and hiring.

In preparing our evidence, we have discussed the question of open access with the editors of some of the most prestigious journals in Economics (published by the American Economic Association, the European Economic Association the Econometrics Society). Whilst they are considering moves towards Green access (see below), they are not envisaging a move towards Gold access. As a result,

the long run goal of current RCUK policy would ultimately refuse to fund work published in the most internationally outstanding Economics journals. It is hard to regard this as being consistent with maximizing the benefits from publicly funded research. In addition, **our ability to recruit internationally excellent staff will be damaged if we are not in a position to encourage such people to publish in world-renowned journals: junior staff will see threats to their career progression if they wish to leave the UK at a later date; senior staff will see threats to their visibility and international reputations.**

In summary, a policy with the long term objective of mandating Gold access that it not coordinated with our international competitors may damage Economics in the UK.

2. *Inefficient resource allocation mechanisms within HEIs.* In order to meet the APCs charged under Gold access, RCUK has made block funds available to UK HEIs. To the extent that these are insufficient, we believe there may be additional—non-financial—costs. Specifically, universities will find themselves in the unenviable position of having to decide what output deserves Gold OA funds, with implications for the potential ability of RCUK grant holders to meet the terms of their grants, and—if OA is required for REF 2020—for the ability of academic staff to perform according to expectations. **If funds are scarce (which seems likely), what is published will either be influenced by non-expert administrative decisions, or by an internal peer review system that will duplicate (at cost) existing journal processes and run the risk of increasing conflict and dissatisfaction amongst the most research active staff (at the risk of encouraging “brain drain”).**
3. *The level of APCs.* The Finch Working Party commissioned research to indicate the possible level of APCs. Our own calculations suggest that its estimates are significantly lower than would be required for our own journals to break even. We suspect that this is the result of mixing STEM and Arts/Human Sciences journals. The former typically have lower costs per paper because these are relatively short (which, in turn, may require more limited refereeing). Apart from any damage this would do to many learned society revenues, we suspect that the difference in APCs across disciplines will exacerbate universities’ resource allocation problems (described above). In particular, unless universities are aware of this discrepancy, and are able to control for it in their allocations decisions, there is a danger that STEM subjects may receive larger portions of funding than others.
4. *Publishers.* The Finch working party included representatives from three publishers, but the report’s recommendations are not conditional on publishers accepting appropriate regulation for Gold OA prices. The significant market power amongst international publishers of academic journals such as Elsevier, Wiley and Kluwer suggests that, as demand for Gold OA increases (and, indeed, possibly becomes more inelastic as a result of the Finch/RCUK proposals), international publishers will be well-placed to increase the prices they charge for gold OA (ie the APCs). Therefore, **in the absence of any credible undertaking by publishers to limit Gold OA charges, the financial costs indicated in the Finch Report may well need to be treated as a lower bound as UK institutions would find themselves hostage to increased price demands.**

It would be advisable not to implement the Finch Report recommendations, and certainly not extend them to REF 2020, until and unless there is a clearer understanding of the likely effects on prices charged by international publishers.

Green access

Green access is an alternative means of providing OA to research output. Here (as envisaged by Finch), the journal allows the author to post the copy-edited version of the paper in the public domain after a specified embargo period. This avoids the need for APCs and allocation mechanisms within universities. RCUK’s current policy originally envisaged Green and Gold OA in parallel, with the former specifying an embargo period of 6–12 months (depending on discipline). In fact, AHRC and ESRC indicated a relaxation of this by specifying a 24 month embargo period for an interim period of five years. This is a welcome development and, from our investigations, closer to that envisaged by some of the top journals in our discipline (therefore reducing our international concerns). There are several worries, however.

1. *Uncertainty.* The AHRC and ESRC transitional plans for Green OA create a number of uncertainties. (1) While both bodies see Gold access as their long term goal, it is unclear precisely what will happen at the end of the 5-year interim period; in particular, what will the embargo period be changed to? In our discipline, the time between submission and publication of a paper in a top journal can be four or five years so this issue may impact on authors quite soon. (2) The interaction with the REF beyond the current one is unclear. HEFCE has stated that it wishes that REF to involve open access output so it is important to know whether its definitions here will reflect the AHRC and ESRC’s.
2. *Wider definitions of Green access.* The above definition of Green access is relatively narrow and still requires publishers to give up their copyright once the embargo period is reached. This may be costly to them and imposes some cost on authors to ensure that publishers will indeed allow this. A wider definition that avoids these costs would simply require authors to place their own version of the final accepted paper in the public domain within a certain period (which could actually be shorter than the embargo period). We see this as a better alternative than the tighter policy that RCUK and the Finch Review both favour.

On balance, current policy (despite the welcome transition period now offered by AHRC and ESRC) will place unnecessary restrictions on where academics can publish while also injecting cost and uncertainty into the publication process, when there are reasonable alternative ways to achieve the desired open access result.

ALTERNATIVES

We believe there are alternative ways to achieve open access that are both faster and cheaper than current policy proposals. Indeed, the current popularity of such alternatives suggests that there is a large degree of open access to *results* (if not final versions of papers) in Economics.

1. *Working papers.* Economics has a strong tradition of circulating preliminary findings in Working papers. These place earlier versions of research findings in the public domain and stimulate debate at an early stage—well in advance of a paper’s final appearance. Working papers play such a central role in the discipline that most Economics Departments publish their own working paper series and a number of international databases have gained prominence. These include Repec, CEPR, NEBR and SSRN (Repec, for example, has 30,000 economists registered with it).
2. *Open access repositories.* Current RCUK policy requires the final version of papers (not necessarily the copy-edited version) to be placed in open access repositories (typically operated by universities). Such practice is consistent with that elsewhere. For example, Harvard and MIT both operate very successful open access repositories, based on self-archiving by academics along the lines of the wider definition of Green access mentioned above. Harvard’s goal (for example) is clearly consistent with that in the Finch Report and RCUK policy, and a detailed institutional policy (itself available to the public) underlies its strategy. Thus, Steven E. Hyman (Provost of Harvard) has said: “The goal of university research is the creation, dissemination, and preservation of knowledge. At Harvard, where so much of our research is of global significance, we have an essential responsibility to distribute the fruits of our scholarship as widely as possible.” We feel that open access repositories offer a fast, cheap way to achieve open access and that the UK is currently a leader in this practice, in a manner that is consistent with some of the best international practice. This position could be strengthened by, for example, establishing in the UK the first national open access repository.

SUMMARY

We support the goal of making research widely and freely available. Our own discipline has a long tradition of doing precisely this, and the UK is developing institutional repositories that are in line with the best practice elsewhere. We are concerned that any move to Gold OA would damage the international position of UK Economics, harm our ability to provide important support to our academic constituency, and increase the costs or resource allocation with universities. We welcome RCUK’s interim relaxation of its policy towards Green OA but, even here, we feel that wider definitions of this approach would be helpful, and consistent with the policy’s aims. Finally, we note that Economics already operates a number of open access initiatives which help place early research findings and ideas in the public domain at a much earlier stage than peer reviewed journals ultimately do. When coupled with the opportunity to expand OA repositories in the UK, we can see relatively low-cost ways to develop open access in the UK (and in our discipline). Against these, we believe that there is a danger of high cost and limited marginal gain from a higher paced policy and we would encourage a period of evidence gathering to inform further steps.

14 February 2013

Written evidence submitted by Royal Entomological Society

Following on from the House of Lords Science and Technology Committee’s inquiry into Open Access (OA) publishing, I believe that the BIS Committee will hold a similar inquiry and is asking for written submissions.

As the Editorial officer for the Royal Entomological Society (RES), I would like to respond on their behalf.

1. Firstly, as a not for profit Learned Society, we rely on surpluses generated by publication of our well respected peer-reviewed Journals to fund our charitable aim of disseminating entomology. This includes funding meetings for professional entomologists (with extra support for student participants) and organising National Insect Week and Insect Festivals to bring entomology to a wide public audience. The loss of income resulting from OA will severely curtail our activities. Another primary source of income for the RES is Membership/Fellowship subscriptions but we keep these to a minimum to allow the widest possible access to our Society.

2. As a society we could choose to opt out of OA publication for our Journals but if government funds for research are subject to the proviso that results be published in an OA format, we would obviously lose important papers to rival Journals especially those published outside of the UK.

3. The proposed embargo periods would help but must be specific to the scientific discipline. For RES publications, where the subject matter is very long lived, we would need it to be at least 12 months.

4. Our Fellows are particularly concerned about the effect of the proposals on their academic freedom. The limited funds for Article Publication Charges (APCs) available to Universities/Research Institutes will mean

that many will have to “ration” the number of papers that an author can publish. This will threaten academic freedom and may result in “impact” being a higher priority than the quality of the work itself. Indeed the requirement for APCs will create inequality across the academic community by linking prestige in research and its publication with the ability to pay APCs.

5. We foresee that there are going to be problems with papers where there are multiple authors from different Institutions and with different funding sources. This may mean less collaboration which would be bad for entomological research and indeed for science generally.

6. The requirement for papers published using APCs to be subject to a Creative Commons Public Licence (which enables anyone to view, edit, modify, translate and distribute works worldwide, provided that they credit the original author) should be of particular concern to both authors and Institutions. It removes their rights to, and ability to control, the use of their intellectual property. What guidance is offered by BIS and RCUK on respecting the rights of non HEFCE or RCUK co-funders? Research communities have for many years been under pressure to find funding from industry partners, the mandated application of a CC-BY licence may well breach existing arrangements and preclude future partnerships, effectively closing doors to commercial funding of UK science. We believe that the decision on CC-BY should be uncoupled from the requirement for OA publication and deferred subject to a rigorous study set up to access the implications and cost/benefits to the UK and all UK stakeholders.

Prof Linda M Field PhD, FRES, FSB

Royal Entomological Society Editorial Officer and Head of Department of Biological Chemistry and Crop Protection
Rothamsted Research

30 January 2013

Written evidence submitted by the Royal Geographical Society (with IBG)

EXECUTIVE SUMMARY

The Government’s OA position with regard to scholarly publishing takes its lead from the recommendations in the Finch Report. The Society broadly endorses those recommendations and the BIS acceptance of them. The Society also notes the clear references in Finch to the need to monitor the position of learned societies for unintended consequences and to recognise that not all disciplines are the same. In particular the humanities and social sciences (but not exclusively so) have very different publishing profiles and contexts to the bio and life sciences that have, to date, been the majority areas of Gold open access publishing.

The Society’s concerns rest mainly with the fact that the RCUK policy was published without consultation, and sets out an intended end point, open access routes and embargo periods that are all, to some degree, divergent with the spirit and recommendations of Finch for the so-called transition period. Currently, RCUK policy introduces an unacceptably high level of risk for learned societies, and their publishing, in giving priority to *access* over the two other equally important planks of Finch—*sustainability* and *excellence*.

In a setting where evidence is limited at best and the risks are high, a more flexible and cautious policy approach that fully reflects Finch (including 24 month Green embargos for journals in humanities and social sciences), and that builds in a timely independent review of the policy impact after four or five years, is much to be preferred. We recommend a clear new policy is reformulated to address the current shortcomings; rather than reworking the guidance around the current policy, especially as the RCUK is advocating its policy actively to other nations.

One size does not fit all with regard to open access, including licensing. The Government should consider allowing the non-commercial and non-derivative licensing options to apply to all open access publications in the humanities, arts and social sciences.

It is a fine judgement as to whether the substantial costs of pushing ahead of the rest of the world for a number of years, and with an emphasis on Gold OA, will yield benefits sufficient to outweigh costs, other than possibly in the oft-cited area of bio/life sciences. We ask if this cost-benefit analysis has been undertaken?

THE ROYAL GEOGRAPHICAL SOCIETY (WITH IBG)

1. The Royal Geographical Society (with The Institute of British Geographers) is the UK’s learned society and professional body for geography. We advance geographical science, and in doing so we support, develop and promote geographical research and scholarship, field science, education, public engagement and knowledge exchange with policy makers. As a charity, the society’s work currently engages between two and four million people per year.

2. The Society receives no government funding, in common with most UK learned societies, and is funded by a combination of members’ subscriptions, operations including conferences and publishing income), enterprise activities, and fundraising.

3. The Society owns the title and publishes, with its commercial publishing partner Wiley, three of the world's leading international journals in geography. They are hybrid journals in the sense that they offer a Gold option to the normal route of papers sitting behind a subscription paywall; authors are also allowed to self-archive a pre-publication version of their paper. The journals were cited as one of a number of important lines of evidence in enabling the ESRC International Benchmarking Review Panel to reach the conclusion that British Human Geography research was world leading. This report is to be published in March 2013.

4. The Society's Director, Dr Rita Gardner CBE, was a member of the Finch Review Group (one of three learned society representatives), and is the chair of the Academy for Social Sciences CEOs Working Group on Open Access.

LEARNED SOCIETIES

5. Learned Societies and subject bodies number well in excess of 300 in the UK. The Learned Societies play a key role in the research ecology of the UK, supporting disciplines and their practitioners, sharing knowledge, and engaging schools, policy makers and the wider public beyond the academy (Appendix 1). Their work reaches tens of millions of people each year. A number also offer professional accreditation to sustain standards in the practice of their disciplines. The Learned Societies together, excluding the medical Societies, invest hundreds of millions of pounds sterling per year in supporting UK scholarship and in helping to ensure that UK research has a strong international presence.

6. Learned Societies journals are often among the world leaders and, in many cases, are not the very high cost journals of the fully commercial publishers. The Learned Society journals feature leading UK (and international) scholarship and also promote the worldwide reputation of UK research in their disciplines.

7. Most Learned Societies generate a significant portion of their income from publishing activities, on average around 50% for the 65 leading Learned Societies in the UK; the range being 0 to 97.5%. The majority of the income from journal subscriptions (between 80% and 90% in many cases) comes from overseas. Further, indirect, income is also tied to publishing, notably members who subscribe to Societies in order to receive the journals, and income from JSTOR for access to archive papers.

8. The net income generated is reinvested to support Learned Society activities since the majority are charities and operate on a not-for-profit basis.

9. Thus, Learned Societies are a key part of the research ecology of the UK and provide a very substantial intellectual, public and reputational good, at the heart of which is support for their discipline and its practitioners in the UK academy. They achieve that with income generated, often in large part, by successful publishing of scholarly journals that earn subscription income mostly from overseas; and in the process they do not place a drain on the UK public purse.

10. Many of the Learned Societies already welcome and support the principle of open access publishing by offering Gold OA pathways in their (hybrid) journals. The challenge is that OA publishing must work for them on a larger scale than at present, and on a sustainable business model for the future if they, their journals, and the reputation of UK scholarship that they promote overseas, are to survive and continue to flourish.

11. Unlike the commercial publishers, the Learned Societies, with possibly one or two notable exceptions, do not have the flexibility, economies of scale, global business opportunities or investments to fall back upon to sustain them during a time of transition to open access publishing. Income streams are typically limited in number. Learned Societies do not lack for innovation but they are, by their constitutions and their status as charities, risk averse. Perhaps that is why they have so successfully supported UK scholarship for 150+ years in many cases.

EVIDENCE AND RECOMMENDATIONS

A. Government's acceptance of the recommendations of the Finch Group report—Accessibility, sustainability, excellence; how to expand access to research publications, including preference for gold over green.

12. The Society fully supports the three pillars of Finch, namely Access, Excellence and Sustainability. These too are at the core of Learned Societies; and getting the balance right between the three is paramount. We do not support access at the expense of sustainability or excellence in publishing, which is what we believe the current RCUK policy on Open Access is likely to do.

13. The Finch Group successfully negotiated the complex issues associated with Open Access and generated a considered series of recommendations, with agreement from many key stakeholders, including funders, publishers, university administrators, libraries and learned societies. Through this, there was recognition that all stakeholders had to make compromises.

14. While Gold (a) clearly was the stated preference, it was recognised in the Finch Report that hybrid publications would exist for the foreseeable future (if not indefinitely) with the Green route also explicitly being an acceptable one for Open Access. A negotiated position was agreed over shorter Green embargos in

journals that did not offer a Gold route (b); with longer Green embargoes (12 months for STEM and 24 months for H&SS) being acceptable in journals that did offer Gold but where the researcher did not have the funds to pay (c). (These three different routes, a,b,c, to OA publication have since been set out visually in the Publishers' decision tree diagram.)

15. The Society's view is that the Green route may well become the dominant route to Open Access, especially in the humanities and social sciences (H&SS), since there is unlikely to be sufficient money to meet Gold costs for all or even a majority of UK publications unless the government commits significant new money to pay APC charges. (eg 50% of the academics submitted to the last RAE exercise were in H&SS and yet only 10% of the research funding is given over to these areas by the Research Councils, meaning that much research in H&SS is conducted using QR funds.) The APC funding position will be even worse if HEFCE policy requires that all REF 2020 publications are open access and with a preference for the Gold route. The USA and a number of European countries and others are also showing a greater interest in Green than Gold.

16. Green embargo routes rely on the income from journal subscriptions to pay for the costs of production and access, including peer review process, marketing the journal, providing an online platform and aids to discoverability, archiving for posterity, and so on. For such journals to have a sustainable business model the embargo periods need to be sufficiently long for subscribers not to cancel their subscriptions and wait for the material to appear "for free" and yet not so long that the whole purpose of Open Access is negated. While there is little firm evidence on sustainable embargo lengths, 24 months seemed to the Finch Group and to other independent commentators to be a reasonable starting point for embargos in the Humanities and Social Science disciplines, in which articles have a long term currency and much less immediacy than in the bio sciences. A 12 month or less Green embargo in H&SS, in the absence of any evidence to the contrary, is felt to be unsustainable and would undermine the business model.

17. The Society strongly supports the conclusions and recommendations of the Finch Group and was pleased that BIS accepted them in full (with the exceptions of the recommendations on VAT which were referred to the Treasury). We had, not unreasonably, expected that the Research Councils would come into line with the spirit and details of Finch in their policies on open access, not least because they were properly represented on the Finch Group.

18. The key issue we have is in the flawed interpretation and implementation of Finch Report recommendations by the Research Councils (RCUK), as set out in their policy. This has stipulated Green embargos of 6 (STEM) and 12 (H&SS) months and envisages an end point where one-size fits all (ie 6 months Green embargo in all disciplines); does not include all three OA routes consistent with the Publishers' decision tree; and sets an unrealistically short review period. Moreover, there was no consultation with the academic, university, publisher or learned society communities in formulating this policy, and scant evidence on which to base it, especially for disciplines other than the bio and life sciences which have led in terms of open access but which have very different funding, readership and citation patterns from most other disciplines.

19. With the UK aiming to lead the world, RCUK is putting pressure on other nations to implement similar policies to ourselves. By pursuing a flawed policy and encouraging the rest of the world to follow it, that is further compounding the difficulties of sustainability in journal publishing for the learned societies.

20. The Research Councils are now in the process of formulating more flexible guidance around their existing policy, we understand, but in our view this is not sufficient as most people will read the policy rather than the guidance.

21. The Society recommends that RCUK produce a clearly stated, five year, transition *policy* that is aligned with Finch and which recognises and welcomes all three OA routes on equal terms, and includes the longer 12/24 month embargos.

22. The commitment by RCUK to review policy in 2014 is too soon for the impacts of the policy to have been felt by the universities, publishers, learned societies and other key stakeholders. Libraries are currently making choices, for example, as to which journals they will take in 2014. So, while a 2014 review may be helpful in looking at the extent of policy implementation, **we recommend that a further review in 2016 is undertaken to assess impact and to inform any policy shifts as a result. All reviews should be independently managed and engage representatives from the full range of stakeholders.**

23. In summary, with the UK going ahead of the rest of the world there are inherent risks for all concerned in seeking an acceptable balance for all stakeholders between access, excellence and sustainability in open access publishing. A flexible and cautious approach, with a clear transition policy and independent and well-timed reviews is the prudent way to proceed, as opposed to what appears to be an ideologically driven and fixed policy end point.

B. Rights and re-use in relation to open access publications, including the CC-BY licenses

24. As set out in the ALPSP submission to this consultation, CC-BY was not designed for the scholarly publishing system and it comes with clear advantages and disadvantages.

25. In our view, the key here is that one size does not fit all. It seems a reasonable argument, if independently supported by the business and researcher communities (neither of whom were represented on the Finch Group),

that a license that allows commercial re-use could be sought in those circumstances where government pays for the research *and* for APC costs and where data mining and economic growth are overriding contexts.

26. We are unclear as to whether there has been any consultation with the business or researcher communities in formulating RCUK policies on CC-BY, and what recommendations have been made by the Governing Bodies (Councils) of the Research Councils when considering open access strategies and policies. We would hope the latter have been fully consulted and have drawn upon the commercial expertise that exists within them.

27. In our view, it makes little sense for a CC-BY type of approach to be applied in disciplines where there is modest, if any, economic benefit (but much social and environmental benefit and policy relevance) in the majority of research findings; where third party images and other content in articles renders CC-BY difficult to administer; where large data sets are not produced by the research and where data mining has little relevance other than in terms of making use of already public data sets such as the census in the research itself; and where the currency is in ideas rather than in scientific “discoveries”. These circumstances relate to the arts, humanities and social sciences (H&SS) and to some of the STEM disciplines. In the H&SS disciplines JISC sponsored research (OAPEN UK) has shown that 79% of academics feel that a non-commercial and non-derivative license would be the right one (CC-BY-NC-ND). The Society endorses that view.

28. The Society recommends that for all Open Access publishing in the humanities and social sciences the CC-BY-NC-ND license (or an equivalent) is the normal standard expected of all Gold and Green OA articles; but that authors may request a CC-BY license if they wish.

C. Cost of APCs and the implications for research funding and the taxpayer

29. For many years to come it is likely that the UK HEIs will pay more to publish and access journals than in recent years owing to the need to pay for Gold APCs and to continue to subscribe to journals because the Green route will be a significant player in the mixed economy for both UK and overseas authors. (The UK academics contribute some 7% of world output of scholarly articles.) Allowing for the fact that the publishers have committed not to double-dip, and that they have made a strong and coherent case to share subscription reductions across the whole of their national and international subscriber base, there will be continuing and significant costs to the implementation of this policy as long as the UK is leading the world in requiring Gold OA publishing. The Finch Report provided some outline estimates of the order of those additional costs and urged the government to pay them, but we ask if a full cost-benefit analysis has been undertaken to inform RCUK/HEFCE policy development?

30. There are clear implications, depending on where this “extra” money is sourced from, for either a reduction in funding available for research or greater costs on the tax payer. If the rest of the world did decide to go Gold, then if a sound evidence-led case can be made in terms of OA fostering economic growth, it may be a price worth paying, especially for the life and bio sciences (but less so for other disciplines). If, as current signs suggest may happen, the rest of the world either does not embrace open access or tends towards Green, it becomes seriously questionable as to whether this is a price worth paying over an unknown period of time for a matter of principle; all the more so if the “public” can gain free reader access to all journals through their local libraries, as is the plan.

D. The level of Gold OA uptake in the rest of the world versus the UK and the ability of the UK HEI to remain competitive

See comments above.

Dr Rita Gardner CBE

Director, Royal Geographical Society (with IBG)

7 February 2013

APPENDIX 1

LEARNED SOCIETIES

What Learned Societies do

Learned Societies are distinct from the national academies (British Academy, Royal Society, Royal Academy of Engineering) in three ways. First, they advance, support and promote an individual discipline and its practitioners in the UK. Second, they receive no core government funding for their work, which is undertaken on a not-for-profit (charitable) basis. Third, their membership is open to all who qualify and, typically as charities, their activities are undertaken for public benefit.

Learned Societies’ income is normally generated by some combination of membership subscriptions (including professional accreditation in some cases); income from publishing scholarly journals, conferences and professional development events; enterprise income (eg from hiring out rooms in their premises); and fundraising. The balance of income between these different sources varies from Society to Society, as does their size and annual budget. At the extremes, and excluding the medical Learned Societies, annual budgets range from less than £100k to more than £40m. In some cases more than 90% of the income comes from a single source—typically either membership subscriptions or scholarly publishing. The 65 leading Learned

Societies from across the sciences, social sciences and humanities, generated on average half their income from scholarly publishing. This included those with both large and small incomes. All net income, after costs, goes back into supporting the charitable work of the organisation.

Learned Societies play a fundamental role as part of the research ecology of many nations, and are very well developed in the UK. Many have distinguished histories, extending to the early C19th century, and well deserved national and international reputations. Today their value in developing and supporting their disciplines and research communities, and in helping to meet government agendas, lies in seven main areas, not all of which apply to every Society:

1. Nurturing and promoting discipline-based research communities
2. Sustaining the UK national research profile and international leadership of the discipline
3. Sharing and exchanging knowledge within and between academic, professional user and policy communities
4. Accreditation and certification to uphold standards, competence and conduct of professionals in their fields
5. Inspiring the next generation and their teachers
6. Serving the public interest by acting in advisory, consultative and representative capacities
7. Informing and engaging the public

In doing so, societies typically provide the following (and more) activities:

- national and international conferences and seminars;
- specialist research groups and sub-discipline networks;
- dissemination of knowledge through publishing of internationally recognised scholarly journals;
- advising on standards (eg HE subject benchmark statements);
- professional development and accreditation;
- discipline leadership;
- holding, and making accessible, subject-based collections
- advocacy and expert advice to government and others;
- knowledge exchange activities between academia and the public, schools and policymakers.
- facilitation and co-ordination of community responses to consultations;
- provision of grants for research;
- recognition of excellence through awards;
- provision of expert contacts for the media and others;
- demonstrating the impact of the discipline;
- support for teaching and learning in HE;
- support for teaching and learning, and careers advice, at school;
- liaison with business leaders and other employers and research users;
- raising awareness of the value of science and research;
- monitoring the health and vulnerability of disciplines and sub-disciplinary areas;
- a range of public-facing activities from lectures to magazines, exhibitions to field visits.

LEARNED SOCIETIES' PUBLISHING

- UK Learned Societies are major publishers. Most have one or more journal titles that they own. Based on the analysis by Morris (2007), about 55% of scholarly journals worldwide are linked with non-profit organisations.
- A small number of Learned Societies have set up their own large commercial publishing companies (eg Institute of Physics: 60 journals, turnover c. £30m), but this is the exception rather than the rule.
- Many Learned Societies depend on publishing as a significant or major source of income.
- Non-profit association publishers and journals stand out: they launch fewer journals; are less likely to close journals; hold historic long-running journals as well as “newer” ones; and they predominate among the most highly cited journals (Morris, 2007)
- Some UK Learned Societies publish independently, but increasingly in recent years they have entered partnerships with commercial publishers owing to the need to manage risk and gain access to marketing expertise, technology, purchasing consortia and “bundle” deals.
- Many Learned Society journals are highly ranked in terms of both citation and readership numbers; many are also made available at no cost to universities in poorer countries as part of philanthropic programmes.

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- Given the UK’s reputation as the world leader or world second—usually after the USA—in many disciplines on a wide range of indicators, including publishing of research, it is not surprising that the UK’s Learned Societies, collectively, have ownership and responsibility for a significant number of the world-leading international peer reviewed journals in a wide range of disciplines.
 - Such journals typically receive high rates of paper submissions and, all things being equal, will continue to do so as emerging nations seek to achieve the highest international recognition for their research.
 - While this needs further substantiation, the cost and the annual increases in subscription rates of Learned Society journals tend to be less than the journals published purely by the commercial publishers.
 - The profits from Learned Society publishing are invested directly into supporting the delivery of the activities listed in the section above.
 - Learned Society publishing underpins membership and income to varying degrees.
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Written evidence submitted by the Royal Historical Society

EXECUTIVE SUMMARY

We support the introduction of Open Access to publicly-funded research in a form that will protect and enhance academic freedom and quality in the humanities and social sciences, as well as in the STEM subjects. We consider that this is best achieved by a system which:

- accepts as equals a Gold route (likely to be taken by many if not most STEM journals) and a Green route (likely to be taken by many if not most HSS journals);
- through planning and consultation develops terms for the Green route which will sustain moderately-costed, high-quality HSS journals, ie through differential embargo periods and licenses which permit educational but not derivative or commercial use;
- permits UK academics to publish anywhere in the world by allowing for cases where international policies do not follow UK government mandates.

EVIDENCE

The Royal Historical Society, founded in 1868, is the oldest and largest learned society devoted to the promotion of historical scholarship in the United Kingdom. We have over 3,000 Fellows, mainly academics but also including curators, archivists, librarians and independent scholars, all of whom are engaged in advanced historical scholarship. We do not publish a journal apart from our annual Transactions and, unlike many other learned societies, we do not rely on earnings from publications for a substantial portion of our income. Even so, we have serious concerns about the implications of current OA policy for the historical profession as a whole.

We very much welcome this Committee’s enquiry, coming on the heels of the Lords Science and Technology Select Committee enquiry, and we are very conscious that the 288 pages of that enquiry’s written evidence (<http://www.parliament.uk/documents/lords-committees/science-technology/Openaccess/OpenAccessEvidence.pdf>) give ample scope for the full diversity of views on this question in the academic and publishing world and beyond, including our own views (which can be found at pp. 207–11). The RHS position coincides to a great extent with those of the Academy of Social Sciences and the British Academy, which represent the experiences of the HSS (Humanities and Social Sciences) disciplines more broadly. We appreciate therefore that the BIS Committee enquiry would benefit from a short, targeted response to what appear to us to be the most currently pressing issues.

STEM

The current argument over OA publishing is only the latest of a series of conflicts arising from the fact that national research policy is driven almost entirely by models derived from the STEM subjects: the concentration of research funding on large, collaborative projects; the modelling of the Research Excellence Framework (REF) and its predecessors on STEM patterns of publishing; the definition and prioritisation of “impact” on STEM criteria; the defunding of research Master’s degrees; and now OA. (For evidence that “STEM” criteria are driven even more narrowly by the biomedical and industrial sectors, see the submission from the London Mathematical Society to the Lords Committee enquiry.) This policy direction is driven by the overwhelmingly large share of the research income budget taken by the STEM subjects, but it runs the risk—especially cumulatively—of substantially degrading the quality and international prominence of HSS research in the UK, which has benefits to society well beyond its share of income, not least to the majority of UK undergraduates who study non-STEM subjects.

“GOLD”

Specifically, the current policy direction of both RCUK and HEFCE on OA—“transition to Gold”—reflects the very different position of journals and their funding in STEM subjects and in HSS subjects. STEM research is very well funded, and APC funds have long been regularly built into STEM research grants. HSS scholars often need, and normally receive, little funding beyond the research time built into their posts, and they neither receive at present nor are likely to receive under any of the proposed future mechanisms a substantial share of the APC pot. HSS journals publish many articles by PhD students, recent PhDs, early-career scholars, scholars on temporary contracts, independent and retired scholars, and scholars employed by non-academic organisations, none of whom are likely to have access to APC funds. Most HSS articles are single-authored, not embedded in large laboratory-based groups where senior scholars and research grants can “carry” younger scholars.

Furthermore, the nature of an HSS article is very different from that of a STEM article. It is typically much longer (thus many fewer APCs are available), more of a creative work than a work of reportage, the object of much more intensive peer review and editorial work, its IP protected only by copyright and not by patent, and with a much longer shelf-life—its value to specialists and non-specialists alike lasts for decades. As a result, HSS journals are expensive to produce and not very attractive to commercial publishers. Most history journals are published by non-profits and academic presses, subscriptions are low (both for institutions—typically around £250 p.a. —and individuals—at most £40 p.a.) and what profits they earn are channelled back into the editorial process or into the learned societies which publish them. In order to maintain the quality essential to international recognition they would require high APCs from precisely those people, HSS scholars, least likely to have funding for them. In any case the market for APCs is unlikely to be able to squeeze profits out of these non-profit publishers without damaging the underlying research culture.

“GREEN”

We welcome the change of tone taken by the funding bodies in response to doubts raised about the universal applicability of the “Gold” model. In 2012 the talk was of the “transition to Gold”; now the Minister has said that Green is a “legitimate” albeit “second-best” alternative, and RCUK insists that “we are not anti-Green”. The “Green” model, suitably adapted, fits HSS needs better than Gold. But the form in which Green is adopted needs to be a matter of careful planning and consultation—genuine consultation, not, as HEFCE is still describing consultation in its evidence to the Lords Committee, “informed acceptance of our policy position”. What length of embargo period is appropriate to maintain the modest subscription levels of HSS journals? What type of license is compatible with minimal IP protections for HSS scholars who cannot patent their work, and with the extensive use of third-party material which is increasingly difficult to obtain nowadays even with separate licenses? These are matters that require care and discrimination, not a one-size-fits-all policy. MIT negotiates embargo terms with individual publishers and requires only that the author licenses the institutional archive for dissemination. It is sometimes said that there is “no evidence” that short embargo periods would endanger HSS journals—but this can only be because no well-established HSS journals yet provide extensive OA. The only studies that we know of—the Mellon-funded study of 2009 (<http://www.nhalliance.org/bm~doc/hssreport.pdf>) and the ALPSP study of 2012 (http://www.publishers.org.uk/index.php?option=com_docman&task=doc_download&gid=757&Itemid=)—warned that adopting short embargo periods on a STEM model could seriously damage the sustainability of HSS journals over the long term. Following the lead of Harvard and MIT, we should make experiments and encourage (as the Mellon study also does) HSS academics to extend their OA archiving before precipitately applying a *mandate* based on STEM criteria, a very clumsy tool of policy-making indeed.

INTERNATIONAL

While we understand the government’s desire to put the UK in the vanguard of the OA movement, any initiatives must be taken within hailing distance of the rest of the world, or risk isolating UK academics from the world of international scholarship. Much evidence has been cited that the government’s model is the one being adopted globally, but nearly all of this evidence is once again based on initiatives in the STEM subjects, especially medicine, such as those taken by Wellcome and the NIH. There is evidence that the UK government’s attempt to extend this model precipitately to all subjects is being criticised internationally for giving a good cause (OA) a bad name. The American Historical Association reported that at its recent annual conference “the one area of clear consensus was that the recent “Finch Report” in the UK was a most unfortunate intervention” (<http://blog.historians.org/annual-meeting/1912/peer-review-history-journals-and-the-future-of-scholarly-research>). The head of the OA working group at MIT writes to us that “one of our concerns is that OA will get a bad name in the UK—and justifiably so if it is pushed in thoughtless ways—and that once that happens it is going to be an uphill struggle to get people to agree to anything”. We understand that STEM-driven policies at EU level are also now being resisted by member governments who are seeking “differential” implementation of OA to suit different disciplines.

ACADEMIC FREEDOM, CREATIVITY AND DISSEMINATION

As a Society we are strongly in favour of widening access. We were something of an OA pioneer when in 2000 with funding from the AHRC we made our prime editorial project—the Bibliography of British and Irish

History, a serial we had been maintaining for 80 years—completely open access. After nine years of support AHRC de-funded many of its digital infrastructure projects and we were forced to seek alternative support from a commercial publisher—an experience that has made us keenly aware of the fragility and expense of HSS research even (sometimes especially) in a digital age.

We are strongly in support of developing a culture of self-archiving amongst HSS scholars, in conjunction with journal publication funded by moderate subscriptions. The Harvard-MIT model offers one way forward; there are others. What seriously worries us is that a rushed and indiscriminate implementation of OA will imperil the very quality of the product that we are so keen on disseminating. It will also replace an inequality of access with a new inequality of opportunity to publish, thereby undermining the aims of its advocates. Many of our STEM colleagues share our doubts about Gold models which seem to reward commercial publishers rather than squeeze them, and which threaten to impose a new bureaucracy—the internal decision-making processes of universities—on academics’ freedom to publish what and where they will. In his written evidence to the Lords Committee, the Minister said, “It is important for [universities] to have autonomy and flexibility in such decisions so that they may use their funding most efficiently and in a way that best suits their publication priorities.” This is a surprising, even shocking statement to most academics who had hitherto thought that “such decisions” and “publication priorities” were a matter for the individual academic, not for their managers. If access to Gold funds becomes not just a marker of prestige inside universities but a vital mode of access to publication, then one of the principal sources of creativity in and the high international standing of the UK HE system—academic freedom—will be lost. In relieving the reader of the cost of publication, we must not transfer responsibility for covering the cost of publication to university bureaucracies that are not competent—and in truth do not want—to make academic decisions.

Peter Mandler, President

Nicola Miller, Vice President for Research Policy

6 February 2013

Written evidence submitted by The Royal Society

The Royal Society welcomes this opportunity to respond to the BIS committee’s inquiry on Open Access. We also recently submitted a response⁷⁴ to the House of Lord’s Science and Technology Committee’s inquiry on similar issues. The Royal Society strongly supports the principle of open access and welcomes the findings of the Finch Group.

The Finch Group recommended the gold open access route as the preferred mode of implementing open access for publicly funded research in the UK and Government policy follows this recommendation. However, we are concerned that failure to fully implement Government policy, specifically the recommendations of the length of green route embargoes, may threaten the sustainability of academic journals. We are also concerned that rigid insistence on short embargoes in the absence of available funding for APCs may restrict the freedom of authors to choose the journal in which they wish to publish. This will be a critical issue in smaller fields where there are fewer journals to choose from.

We are concerned about the continued differences between Government policy, RCUK policy and their guidance as published to date. RCUK’s verbal evidence to the recent House of Lords inquiry and the most recent statements from RCUK officials in charge of implementation appears to indicate that:

- That there is an expectation that cases where there was no available funding for APCs would be rare, due to sources of funding other than the RCUK block grants. It is unclear whether this is a reference to QR funding.
- In such unfunded cases, authors would be expected to publish in a journal with an embargo period of no more than six months (12 months for the humanities and social sciences). If the author’s preferred journal did not offer this option, the author would need to find a journal that did.

This position does not conform to the Publisher’s Association decision tree⁷⁵, which was endorsed by David Willetts MP during his evidence session at the House of Lord’s Science and Technology Committee’s Open Access Inquiry on the 29 January 2013. If RCUK policy does, in fact, allow authors to publish in a journal with a longer embargo when APC funding is unavailable, this needs to be clarified, as the current guidance is unclear.

⁷⁴ <http://www.parliament.uk/documents/lords-committees/science-technology/Openaccess/OpenAccessEvidence.pdf>

⁷⁵ http://www.publishers.org.uk/index.php?option=com_content&view=article&id=2299:finch-willetts-rcuk-green-oa-and-embargoes&catid=503:pa-press-releases-and-comments&Itemid=1618

The Royal Society continues to be interested in Open Access and await the outcomes of the committee's inquiry.

John Pethica FRS

Physical Secretary and Vice-President Professor John Pethica FRS

7 February 2013

Written evidence submitted by the Royal Society of Chemistry

The Royal Society of Chemistry (RSC) welcomes the opportunity to respond to the House of Commons Business, Innovation and Skills Committee inquiry into the Government's Open Access policy.

The RSC is the largest organisation in Europe for advancing the chemical sciences. Supported by a network of 47,000 members worldwide and an internationally acclaimed publishing business, its activities span education and training, conferences and science policy, and the promotion of the chemical sciences to the public. This document represents the views of the RSC. The RSC has a duty under its Royal Charter "to serve the public interest" by acting in an independent advisory capacity, and it is in this spirit that this submission is made.

SUMMARY OF RECOMMENDATIONS

1. The RSC supports the development of any fully *sustainable* publishing environment for researchers, which maximises dissemination of knowledge.

2. Noting the caveat above on sustainability, the RSC is fully supportive of open access publishing. On this, we are actively engaged with the community, as exemplified by our "Gold for Gold" initiative which offered over £1m of open access credit to UK research institutes in 2012, with a further £1m of credit offered in 2013.

3. Government policy should be based on the evidence, data and considered recommendations from the *Working Group on Expanding Access to Published Research Findings* chaired by Dame Janet Finch.

4. We acknowledge the positive actions by RCUK in setting up block grants for UK institutes, and supporting Gold open access as the long term and favoured model for sustainability.

5. The RSC acknowledges that during a transition period, there will be a mixed Gold/Green open access environment.

6. We are however concerned that the findings of the Finch Group Report, as endorsed by Government, have not been implemented by RCUK in full. Specifically, there has been considerable confusion around how UK researchers should publish their work when no funding for Gold open access fees is available. The Finch Group recommendation suggests Green open access, with embargo periods (of 12/24 months) whereas RCUK communications are unclear and suggest shorter 6/12 month embargos. Recent developments suggest some movement on RCUK position; clarity is essential in this matter.

7. We encourage recognition that each subject discipline is individual. Green embargos should not be reduced arbitrarily until the system breaks and the subscriptions upon which green open access fully relies are cancelled. Experimenting in this way has the potential to be highly detrimental to sustaining high quality publishing for the advancement of science.

8. Consideration should be given to the global impact of any policy or proposal. Science knows no boundaries, and science publishing is also a global venture. Open access for UK content will certainly showcase UK research output, however one must acknowledge that open access provides equal reader benefits for all nations, and all researchers worldwide.

Topic 1—The Government's acceptance of the recommendations of the Finch Group Report "Accessibility, sustainability, excellence: how to expand access to research publications", including its preference for the "gold" over the "green" open access model;

9. RSC welcomed the evidence, data and considered recommendations from the Working Group on *Expanding Access to Published Research Findings* chaired by Dame Janet Finch⁷⁶ which provided a thorough evaluation of enhancing access to research content. We acknowledge the depth of research involved, with all relevant stakeholders reaching agreement. We were delighted to see that the UK Government were fully supportive of the findings of the report (the sole exception being the recommendation on VAT).

10. The RSC fully supports objectives to ensure that the outputs from research activity are made as widely available as possible. This is fully aligned to our Royal Charter objective to advance the chemical sciences through the dissemination of chemical knowledge⁷⁷

⁷⁶ Working Group on Expanding Access to Published Research Findings, <http://www.researchinfonet.org/publish/wg-expand-access/>

⁷⁷ RSC Charter & By-Laws, <http://www.rsc.org/AboutUs/Governance/charter.asp>

11. The RSC supports any and all *sustainable* models of access. We have, for some years, embedded flexibility in our publishing model to meet the needs of the scientific community, funders and those interested in accessing our journal content.

12. The highest standards of publishing must be adhered to with regard to publishing content under an open access environment. This can only be achieved through the professional management of the publishing process, from submission through peer review to archiving. RSC content satisfies the fundamental pillars of scholarly publishing, namely:

- Certification (validation of quality and integrity)
- Registration (recognition of achievement)
- Accessibility (unparalleled online access, worldwide)
- Archiving (reliable perpetual accessibility)
- Discoverability (industry leading services to identify content)

13. It is important that consumers of research content are confident that the article they read is the final “version of record”. This typically resides on the publisher’s content delivery platform and is widely accessible. Note: post-publication changes, such as addendum or corrigendum, are not always tagged to versions held elsewhere, eg at institutional or subject repositories.

14. In terms of open access, the RSC supports “gold” open access, and encourages funding to be made available to support authors during the transition from reader to author-side payments.

15. The RSC has offered a hybrid “gold” open access option for all our journals since 2006. This enables the final “article of record” to be made available to all, immediately, via our website and without any barriers to access. Authors who do not wish to take the gold option can elect to deposit their accepted manuscript in a non-commercial repository after an embargo period of 12 months (the “green” open access option).

16. Gold open access is defined as follows:

“Publication costs are covered by an “Article Publication Fee” (APC) being paid by authors upon acceptance. The final “article of record” is made available to all, immediately, without any barriers to access”

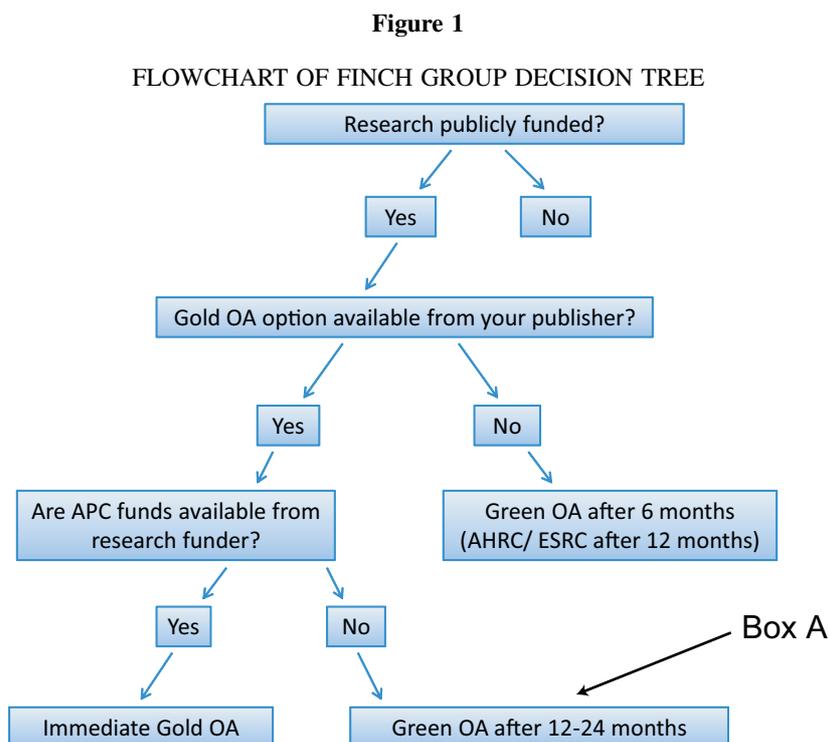
17. Gold open access is widely accepted as the only long term sustainable open access model. It has the advantage of aligning payments to support manuscript handling, peer review, copy editing, typesetting and dissemination of content, with the objective of free access to users. Supporting Gold or hybrid Gold open access may be a cost effective solution to enhance public access to research content. This is also the quickest route to providing public access to research articles derived from publicly funded research.

18. Green open access is defined as follows:

“Research papers are made available via a subject or institutional repository. An embargo period is often involved, typically 6–24 months (12 months for articles published in journals published by RSC Publishing). No payment is made—publishers seek to recoup their investment through traditional sales during the embargo period”

19. Green open access is only sustainable if the embargo period is sufficiently long to avoid erosion of the very subscriptions the model relies upon to exist. Green open access in itself does not make any financial contribution towards publishing activities. As such, it may only be relevant as a transitional option.

20. The Publisher’s Association prepared the following flow chart to provide clarity on the Finch Group Report recommendations. However, real confusion exists in relation to RCUK’s interpretation of “box A”. Specifically, for the physical sciences, is the embargo period 12 months as recommended by the Finch Group?



21. The RSC acknowledges that during a transition period, there will be a mixed gold/green open access environment.

22. Setting appropriate (green) embargo periods are critical to ensuring a sustainable publishing environment. Evidence exists of journals which have lost significant subscriptions [revenue] from adopting too short embargos; for example, the journal *Annals of Mathematics* reverted to a subscription model after experiencing significant loss in subscriptions following an open access experiment whereby content was made available freely.

23. Green Open Access absolutely relies upon institutes retaining their journal subscriptions, to support the editorial activities that the research community values.

24. It is generally acknowledged that embargo periods should reflect the variation of “usage half life” of different journals and disciplines. One size does not “fit all”, even within the physical sciences.

25. To date, a minority of articles is available via open access (and those that are, are often difficult to find and access). Regardless of embargo periods, this means libraries currently retain all their subscriptions in order to access the significant majority of content. Until the ratio of open access/non-open access content shifts, no one can accurately predict library subscription behaviour.

26. There is however an acknowledged and understandable expectation that “over-short” embargo periods will encourage institutes to cancel subscriptions. A brief study⁷⁸ jointly commissioned by the Publisher’s Association and ALPSP (Association of Learned and Professional Society Publishers) suggests that almost half of librarians (44%) would cancel subscriptions to journals where most of the content is available freely after 6 months.

27. In deciding whether to cancel a subscription, librarians can facilitate cost effective access to embargoed papers via pay per view, inter-library loans, or low cost article rental. Embargoed papers are thus still accessible to the community.

28. Experimenting with short embargo periods for journals until subscriptions are cancelled, cannot be undone. Experience shows that libraries, with very restricted budgets, do not (or simply cannot) (re)introduce subscriptions after cancellation.

29. Pressure to apply a 6 month embargo on chemistry journals is experimenting with the future of the community’s journals. We recommend RCUK and other funding agencies adopt the Finch Group findings, as endorsed by Government, and apply a minimum 12 month embargo on all (chemistry) journals. Even this would be an experiment, but one we feel is less likely to yield catastrophic consequences.

⁷⁸ PA / ALPSP study into librarian expectations under a 6 month embargo. <http://blog.alpsp.org/2012/06/alpsppa-report-on-potential-effect-of.html>

Topic 2—Rights of use and re-use in relation to open access research publications, including the implications of Creative Commons “CC-BY” licenses

30. The CC-BY attribution licence allows anyone access to the published content. The attribution licence allows full rework, reuse and distribution which have implications for ownership and the commercial use of research funded by the UK Government and funding agencies. The RSC supports these attributes, though we have heard concerns from researchers regarding the commercialisation of their own work, without due recompense.

31. Derivative articles are not necessarily tied to the original work, and only the original author(s) need be acknowledged. This has implications for [lack of] recognition of the original journal brand and authority, which provides an indication of quality and quality assurance.

32. Authors will also lose any control of who uses their work, and in what way it is used. This has potential implications for author reputation if work is republished out of context. This has additional consequences when an author’s work is used in this way for [other’s] commercial gain.

33. There is potential loss of income for both the author and publisher with the loss of secondary and derivative income streams. For the RSC, this is not considered significant. However, we wish to highlight this issue as it is seen as significant for many other society publishers.

Topic 3—The costs of article processing charges (APCs) and the implications for research funding and for the taxpayer;

34. Article Processing Fees (APC’s) vary by publisher, journal and article type. The RSC currently charges £1,000 for a communication style paper, £1,600 for a research paper, and £2,500 for a review (the vast majority of papers fall into the first two categories). Discounts (of 15%) are available to RSC members, and subscribers to RSC Gold. With almost all UK institutes subscribing to RSC Gold, UK authors will generally benefit from the discounted rate, such that a communication paper would cost £850.

35. Supporting Gold open access may be a cost effective solution to enhance public access to research content providing that sufficient funds are made available by funding agencies to support authors during the transition from reader to author-side payments.

36. RSC does not wish authors to be discriminated against, if they are unable to pay author-side fees. Authors unable to pay an APC will be entitled to publish without charge under the traditional subscription model, with the additional option of posting their accepted manuscript on a Green open access repository after 12 months.

37. Should the number of “reader-side payment” articles reduce, as a result of Open Access uptake, journal subscription rates will be adjusted downwards. The RSC is committed not to “double dip”, ie we will not include papers which carry APCs in our subscription calculations, and thus receiving both author-side and reader-side payments. To date, uptake of Open Access is so insignificant (<0.2% of papers, against a trend of +20% content growth) that no subscription adjustments have been justified to date.

38. While an estimated 20% of revenue entering publishing is derived from corporate organisations, their publishing output is many factors lower than this. If funding is to move towards author-side payment, academia will in effect be paying more, to subsidise free access at corporate organisations.

39. Like many society publishers, the RSC invests any surplus from publishing activities back into the science. If the sustainability of publishing is adversely affected, this would further impact science as a whole, with a particular impact on UK science.

40. The current subscription model incentivises publishers to focus on quality over quantity (low quality journals are less likely to be subscribed to). In contrast, an author-side open access model, incentivises quantity over quality. This has led to “predatory” publishers⁷⁹ who seek to publish all submissions to benefit from receiving the author fee (note: these publishers are in the extreme minority, with most publishers understanding the need to retain quality standards for long term success).

41. Clarity is needed about how funding and payment of article processing charges (APCs) will be managed in practice. This is of particular interest for multi-author/international papers, and the complexities this may introduce.

42. The consequences of making content freely available, particularly with respect to potential piracy and unauthorised onward distribution should be considered carefully. The long-term sustainability of the open access-system must be preserved.

43. Licensing options should be clearly defined, to differentiate what content may be openly (publicly) shared, and what may not.

44. Policies should acknowledge the inherent costs involved in refereeing, copy-editing, typesetting, hosting, maintaining, preserving and making available scholarly journal content. Those who invest in these processes should be entitled to recover their costs to ensure sustainability of the systems for future generations.

⁷⁹ Reference: Nature 489, 179–179 doi:10.1038/489179a

45. We wish to highlight our “Gold for Gold” initiative, in which we distributed over £1m of credit to UK universities (in 2012 and repeated again in 2013) to publish gold open access articles in RSC journals. This was warmly received by the community, and allowed researchers and administrators to evaluate how to implement open access publishing.

Topic 4—The level of “gold” open access uptake in the rest of the world versus the UK, and the ability of UK higher education institutions to remain competitive.

46. The scale of OA publishing is difficult to estimate accurately. There are an estimated 8,600 open access Journals listed in the Directory of open access Journals⁸⁰. An estimated 7.7% of scientific, technical and medical articles are published via an open access model⁸¹.

47. Publishers who operate a hybrid (optional) model typically cite less than 1% uptake, though this is seen to be increasing slowly year on year.

48. Researchers in the chemical sciences are currently amongst the lowest adopters (proponents) of open access. By contrast, researchers in the life sciences are much more supportive of open access⁸².

49. Consideration should be given to the international nature of science publishing. Providing public access in one country will also provide unfettered access to researchers and other users throughout the world. Economic benefits are therefore unilateral, and will therefore be no different for the UK, North America, China or any other nation.

50. As a UK based publisher 94% of current subscriptions-based revenue is currently derived from overseas. Our authors are also principally international, with approximately 90% based overseas. During 2010 and 2011, only 0.2% of RSC authors opted to make their papers open access.

51. China as a nation publishes the largest number of papers within the chemical sciences community, and those from India are expected to grow significantly over the next decade. Sustainable business models will need to recognise the shift of research output to developing countries.

14 February 2013

Written evidence submitted by The Royal Statistical Society

SUMMARY

1. The Royal Statistical Society is supportive of the principles behind open access, but has concerns about the government’s proposals for its implementation as they stand. In particular, we are concerned that:

- a one-size-fits-all approach not be applied to model(s) of open access, including “gold” v. “green” access, and both article processing charges (APCs) and embargo periods;
- the introduction of open access be done in such a way as to maintain quality control in UK journals and research, and to maintain and enhance the international standing of both;
- implementation of open access be sensitive to international practice;
- that transitional arrangements be put in place to ensure that open access is implemented as smoothly as possible, without damage to journals or institutions, to include a clear transitional policy from government and research councils;
- that the particular role of learned societies in promoting their disciplines be accounted for, including the extent to which fulfilment of that role is dependent on income from publishing journals; and that
- copyright licensing be done in such a way as marries principles of open access with protecting UK taxpayer-funded research from commercial exploitation.

2. We make the following recommendations of the government and/or Research Councils UK (RCUK):

- (i) more engagement by government and RCUK of the research community and users, both to help explain the policy to those affected, and to help the government/RCUK to understand potential pitfalls;
- (ii) RCUK’s conflicting policy and guidance (particularly with regard to embargo periods) to be replaced with a single, clear transitional policy;
- (iii) articles that comply with RCUK policy should be available under a CC-BY-NC-ND copyright licence, rather than a CC-BY licence as currently proposed; and
- (iv) a review of open access be conducted by an independent body, and be split into reviews of implementation (after 1–2 years) and of the policy itself (after 4–5 years).

⁸⁰ www.doaj.org

⁸¹ Laakso M, Welling P, Bukvova H, Nyman L, Björk B-C, Hedlund T. The development of open access journal publishing from 1993 to 2009. *PLoS One*. 2011;6(6):e20961

⁸² Reference: <http://blogs.nature.com/news/2012/07/uk-research-funders-announce-liberated-open-access-policy.html> (link:... vary between disciplines, as you can see from this chart)

INTRODUCTION

3. The Royal Statistical Society (RSS) is both a learned society for statistics and a professional body for statisticians. It was founded in 1834 as the Statistical Society of London and became the Royal Statistical Society by Royal Charter in 1887. Today, the Society has more than 6,000 members around the world. The RSS is active in a wide range of areas both directly and indirectly relevant to the study and application of statistics.

4. The RSS welcomed the Finch Review, and the overview it provided of the complex issues surrounding how to increase accessibility of published research. As a learned society, we support the principle that underpins open access: that sharing of knowledge is a good thing. As a member of the mathematical sciences research community, we welcome the aim of increasing the accessibility of research. Indeed, the RSS's journals⁸³ have for some years been "hybrid", and allowed authors to pay an up-front fee to enable their article to be open access (though take-up of this option is low).

5. We do, however, also have a number of concerns, which we would like to see addressed within the inquiry. UK learned societies play an important role in supporting their academic disciplines, and many—the RSS among them—produce high quality journals where any surpluses are ploughed directly back into support for the discipline, which in turn helps to ensure that the UK sustains a strong international research presence.

6. We thus have an interest in open access working well from two main perspectives. First, we seek to advance and support our research communities and disciplines, and therefore want to support and encourage the publication of good research, sustaining the UK national research profile. Second, as a publisher of journals, we are keen that open access is implemented in such a way as not unintentionally to undermine the financial sustainability of learned societies.

OPEN ACCESS PROPOSALS

7. Overall, the evidence base for the open access proposals is unclear. They have been developed at speed, and as such both consultation and communication have, thus far, been inadequate. Our submission reflects concerns that we have picked up from the research community that we both work with and represent. In addition to considering the specific concerns we raise, therefore, we believe that the inquiry should consider the weaknesses in communication and consultation that have given rise to a climate of uncertainty and anxiety within the research community.

8. There are some questions relating to the overall economic case, including what both moving to and operating open access will cost, and whether there will be enough money in the system to fund it. There is also an uncertainty over whether proposed budgets will be sufficient to allow libraries to subscribe to the non-open access parts of journals.

9. Decisions which HEFCE makes around the 2020 Research Excellence Framework regarding open access will impact substantially on research, particularly that which is not funded by RCUK. This is particularly significant for statistical work, a substantial proportion of which does not have RCUK funding allocated to it. In this context, we would urge that HEFCE be encouraged to consult widely among the research community as to the possible approaches it is considering.

10. An open access model where the author pays (the "gold" model) could significantly alter incentives to publish high quality research. Our Society's journals seek to maintain high quality standards, and we publish relatively few papers. An "author pays" model of open access may not be workable in this context. Such a model also changes the incentives for publishers towards a quantity rather than quality publishing model, as publishers will generate income from the number of papers published. This could undermine faith in the peer review process, and reduce quality control, resulting in a detrimental effect on the international standing of UK research.

11. The "author pays" approach may also severely limit the publishing of good research which is done independently, or where there is no external funding to cover author contributions. Such research is common in statistics, and in other disciplines where good research can be done without major experimental or equipment costs (including the mathematical sciences more broadly).

12. A further concern about the "gold" model is on how internal university funding allocation decisions will be made (for researchers who do not otherwise have funds to publish a paper). Rather than a peer review process leading to the best work being published, an institutional process potentially led by non-experts in the field could make these decisions. In practice, this is likely to disadvantage the mathematical sciences, as disciplines which tend to have relatively small research groups in most universities, and with relatively low levels of RCUK funding.

13. More broadly, work needs to be done to determine sustainable APCs for the full range of learned society journals, including those of the RSS. Crucially, this analysis needs to be linked to an assessment of a discipline's ability to pay.

⁸³ The RSS publishes three journals: "Series A: Statistics in Society", "Series B: Statistical Methodology", and "Series C: Applied Statistics".

14. The key challenge around a “green” open access model lies in determining a sustainable embargo period. In particular, an open access model based on short embargo periods is not workable for the mathematical sciences. Several different analyses by commercial publishers have shown that the citation half-life and readership half-life of scholarly journals across a wide range of science, social science and humanities disciplines is between 3 and 4 years. The half-life of statistics journal articles can be significantly longer, often with citation half-lives of over ten years. A particular issue here is the inconsistency between the RCUK policy on embargo periods (of 6 or 12 months) and that recommended by both BIS and the Finch Review (12 or 24 months); preferably, they should be aligned.

15. When considering what approach to take to open access—both in terms of “gold” versus “green” access, and in setting APCs and/or determining embargo periods—it is crucial that BIS policy reflects the need to look beyond a one-size-fits-all approach. This should include ensuring that the voices and perspectives of all relevant stakeholders are fully considered, including a broad spectrum of academic disciplines, the needs of which vary significantly.

16. If pursuing a “gold” model, when setting levels of APCs, the government should take account of the differing costs involved in processing articles in different disciplines. We are aware that there is a significant disparity between disciplines in terms both of average length and of acceptance rate of articles, with corresponding variance in costs. It is vital that the structure of APCs looks beyond a simple average, to take account of the particular characteristics of the different academic disciplines.

17. Similarly, with regard to “green” open access, as discussed above (see paragraph 10), it is crucial to be aware that the citation and readership half-lives of articles differ across different academic disciplines. As with APCs, therefore, a one-size-fits-all approach is likely to have a differential impact across disciplines. An appropriate embargo period is vital for protecting the intellectual property of researchers, and in ensuring that funding continues to flow to academic disciplines to allow them to develop researchers. Again, we would urge the inquiry to investigate alternatives to a one-size-fits-all approach to implementation.

IMPACT ON LEARNED SOCIETIES

18. At present, journals provide the RSS’s largest single income stream,⁸⁴ cross-subsidising most other activities of the Society, and are thus fundamental to our business model. A reduction in income from journals will have a significant knock-on impact on the Society’s ability to advance and support our research communities and disciplines. As a learned society, our role in supporting the discipline we represent and support helps to ensure that the UK sustains a strong international research presence. It is vital, then, that any unintended consequences of open access which undermine our ability to fulfil this role be fully factored in to any decisions the government reaches on open access, and into their cost-benefit analyses.

19. We welcome the Finch Review’s recommended action “*iv.—Keep under review the position of learned societies that rely on publishing revenues to fund their core activities, the speed with which they can change their publishing business models, and the impact on the services they provide to the UK research community*”. (p.8). We further note the Minister of State for Universities and Science’s comments on 2nd May of last year that there “could be collateral damage for our learned societies”. We would welcome a focus within the Committee’s inquiry on how this recommendation will be practically implemented. Any review, both on this specific aspect and more broadly, should be independent. It is vital, also, to distinguish between the initial implementation of the open access of the policy and its impacts once it is fully in place. We would therefore suggest reviews take place after 1–2 years and after 4–5 years.

IMPLEMENTATION AND TIMING

20. Regarding implementation in general, we are concerned both that the timescale proposed is too tight, and that insufficient money has been allocated to support transition to open access. Changes in the publication landscape have yet to be communicated adequately to academics, while libraries and institutions face the dual financial burden of being locked into existing contracts, while needing to absorb new costs around publication fees. It is crucial that enough time and resources are committed to ensure that transition to open access is as smooth as possible, as this will minimise any potential collateral damage, to learned societies, but also to the quality and profile of UK research.

21. As part of this, we would suggest that clear transitional arrangements be outlined, both from BIS and from RCUK. For example, if both recognise the need to have longer embargo periods in the first years of open access, then this should be clearly stated and signposted in the policies of both government and funding councils, including RCUK. Currently, the disparity in embargo periods between the RCUK policy and its guidance is liable to create confusion, rather than supporting a smooth transition.

22. Timing in relation to other parts of the world is a key consideration, both for UK journals and for UK researchers. Overseas journals’ approach to open access, in terms of timing, structure and approaches to charging, will have significant impacts on the competitive environment in which UK research and journals operate. This is an area in which there is a need for greater evidence and investigation. Overall, we would urge

⁸⁴ Representing approximately 35% of the Society’s income in 2012, against, for example, 28% from membership.

the Committee to consider in its inquiry the implications of the international direction of travel for how the UK should pursue open access.

23. There are also practical problems around open access which need to be considered carefully. For example, a mechanism is needed for handling research which is co-authored, where one or more authors is UK-funded while one or more authors is not. Another issue is around what happens if the pot of money allocated to paying for article processing charges (APCs) runs out before the end of the funding year.

24. More broadly, the Society considers it essential that the speed of design and implementation of open access is such that full and proper consideration is given to the issues identified above, as well as any concerns other individuals and organisations may have. Failure to do so could result in a flawed policy, which would have serious consequences for the international standing of British universities and research.

TYPE OF LICENSING

25. We are concerned at the requirement that articles that comply with RCUK policy should be available under a CC-BY copyright licence. This risks commercial exploitation of research that is effectively funded by the taxpayer, without any academic control being retained. A move, instead, to a CC-BY-NC-ND licence requirement could meet the objective of providing unrestricted access to research material, but while protecting the author, publisher and funders from commercial and derivative re-use of their material and data. Any lesser form of licensing arrangements will allow for the commercial exploitation of UK-funded research as an unintended consequence of enabling open access.

7 February 2013

Written evidence submitted by SAGE Publications Ltd

ABOUT SAGE

SAGE is a leading international publisher of journals, books, and electronic media for academic, educational, and professional markets. Since 1965, SAGE has helped inform and educate a global community of scholars, practitioners, researchers, and students spanning a wide range of subject areas including business, humanities, social sciences, and science, technology, and medicine. SAGE publishes on behalf of and in association with more than 290 societies worldwide, including more than 110 in the UK. An independent company, SAGE has principal offices in Los Angeles, London, New Delhi, Singapore and Washington DC. www.sagepublications.com

1. SAGE Publications Ltd welcomes the opportunity to provide input into the Committee's inquiry into Open Access. SAGE is supportive of the "balanced package" proposed in the Finch Group Report "Accessibility, sustainability, excellence: how to expand access to research publications" and subsequently endorsed by the government.

THE GOVERNMENT'S ACCEPTANCE OF THE FINCH GROUP REPORT'S RECOMMENDATIONS

2. SAGE strongly supports the emphasis that the Finch Group and the Government have put on the sustainability of the scholarly communications system. Scholarly publishing is a significant industry in the UK, and a significant success story with a very strong export component. The jobs and revenue for UK PLC that scholarly publishing generates in the UK are dependent on the transition to open access being sustainable. The Government clearly recognised the differences in requirements from different research communities. These differences include different research funding levels and mechanisms, different author needs and practices, different research outputs and different use patterns for those outputs. It is vital for the sustainability of the system that due weight is given to these differences in the implementation of the Government's open access policy.

3. There is no one solution that will provide accessibility, sustainability and excellence for all research areas. SAGE does not believe that "gold" is better than "green" or vice versa. Each research community's characteristics will need to be respected and worked with, if the goals of the Government are to be met. The learned societies that represent the research communities, many of which SAGE works with, are waking up to these issues and engaging based on their own needs and concerns. SAGE is encouraging the societies it works with to respond directly, recognising that it is the societies that most clearly know the needs and practices of their own communities.

4. SAGE's submission focuses particularly on the Rights of Use questions posed by the Committee. SAGE is a major player in player in the social sciences and humanities as well as significant publisher in the STEM fields. Given the strength of coverage that the STEM fields have received in the debate so far, our submission focuses more on issues affecting the social science and humanities communities.

RIGHTS OF USE—THE CC-BY LICENCE

5. The Finch Group Report makes a few references to the CC-BY licence, with those references centring on the difficulty subscription publisher might face in making CC-BY compatible with subscription models, and

on the need for publishers to make re-use rights (including text and data mining) more straightforward and user-friendly. Somewhere down the track between the Finch Report and today, the message seems to have strengthened into almost an all-out “CC-BY is the only way” approach, and this is problematic in ways which were not envisaged by the Finch Group. This has been raised as a specific concern by historians¹ but covers much of the arts, humanities and social sciences communities and has been raised as an issue by the author communities and societies that SAGE works with.

6. While there is logic to the use of CC-BY where the issue is to make data available in ways which enable others to re-analyse it (for example through text or data mining²), this holds less water in the arts, humanities and social sciences, where interpretation and context are crucial. There is widespread and real concern expressed in these author communities that blanket use of CC-BY licences will enable misuse of research—for example by presenting chunks or soundbites in ways that appear to contradict or undermine the author’s meaning. These concerns are serious enough to lead some authors to refuse to publish on this basis. There are other licences available which will fulfil the accessibility requirement while giving authors the protection they need in order to publish. Different disciplines have different needs, and those needs must be taken into account in the move forward into an open access world.

7. In addition, there is a practical issue with the blanket use of the CC-BY licence, in that its use assumes that the author is able to grant CC-BY rights on the whole article. This is a particular concern in the humanities. Where articles include material from third parties (eg poetry in literary studies journals, images in art history journals etc) it is highly unlikely that the copyright owners of those third party materials will give the authors the necessary rights in that material to enable the authors to grant a CC-BY licence. This could actually limit the ability of UK authors to undertake research on (especially contemporary) topics, knowing that they will not be able to publish that research. This issue could also apply to research analysing computer programs or code. While the motives in seeking a blanket requirement for CC-BY seem clear (simplicity for all), the knock-on consequences of such insistence could prove extremely damaging in certain research disciplines.

8. Insistence on CC-BY across the board will limit UK authors’ ability to undertake or publish certain sorts of research. The vacuum will be filled by researchers in other countries who are not constrained by their funders’ insistence on an inappropriate licence.

RIGHTS OF USE—EMBARGO PERIODS

9. All engaged in this debate and transition process are aware that full funding for “gold” OA is not available, and possibly never will be. There will be a mixed economy at least for the foreseeable future. It is likely that the shortfall in “gold” funding will hit the arts, social sciences and humanities disproportionately and that therefore the “green” route will be essential for sustainability in these areas. In such instances, embargo periods that ensure the sustainability of subscription-based journals are required in order to ensure the survival of the journals that provide outlets for this research

10. The Finch Report, and the Government, recognised this:

9.11 Where dedicated funding is not provided to support open access publications, and therefore researchers are unable to use this route, we believe that it would be unreasonable to require that embargo periods are shorter than twelve months. For in that case, with no direct funding support for an open access publication, it would be unreasonable to put the sustainability of subscription-based journals at risk. Moreover, in subject areas where the half-life of the articles in each issue of a journal is several years, there may be a case for a longer period (Finch Group Report)

11. SAGE is heartened by the statements made by RCUK to the House of Lords Science & Technology Select Committee on 29 January 2013, in which they confirmed that their mandates to researchers would comply with Government policy. It is important that the emphasis on sustainability and recognition of different needs in different sectors which are clearly stated in Government policy continue to flow through in the policies and practices of the research councils and other bodies (such as HEFCE) which are responsible for funding research.

12. The announcement by RCUK that they will not take too rigid an approach to embargo periods in the first five years of this transition is reassuring, but there will need to be serious consideration given to the question of how shorter embargo periods might become sustainable in the longer term (as is implied by the RCUK five-year window). At present, this issue has simply been postponed. With full “gold” funding it would disappear, but at present full “gold” funding, even in five years time, seems unlikely.

THE IMPLICATIONS OF SHORT EMBARGOES FOR UK-BASED AUTHORS AND UK-BASED JOURNALS IN THE HUMANITIES, ARTS AND SOCIAL SCIENCES

13. We recognise that there is potentially a national interest in early access to the latest research in medicine, engineering and other areas which have a direct application in business activity and which can contribute to innovation and change. There is no reason to believe that early access to the research published in history journals has the same potential economic benefit.

14. Most—possibly all—journals are not dependent on UK-funded authors, and so will have no great reason to compromise their own stability by agreeing to perilously short embargo periods because these are required

by a minority of the authors' funders. Insistence on unsustainably short embargo periods therefore may close off avenues of publication to UK authors.

15. There is also a risk that the UK's world-leading position as a publisher of academic research in history and related humanities and social science disciplines, with all the export income and employment resulting, could be endangered if UK journals are forced to choose between accepting unsustainably short embargoes or denying publication to UK-based authors.

16. In conclusion, SAGE welcomes the Select Committee's inquiry, and the opportunity that it gives to ensure clarity, and that the aims of accessibility, sustainability and excellence are achieved in the diverse and complex world of scholarly communication. The Government's vision in bringing all parties together to map out a route is to be applauded. As the Committee will no doubt discover, the devil is in the detail, but so is the opportunity to forge a sustainable route to greater access without damaging the excellence that the current system promotes. SAGE would be happy to provide additional clarification or information, either in writing or in person.

REFERENCES

1. Historians' position on open access:
<http://www.history.ac.uk/news/2012-12-10/statement-position-relation-open-access>

2. SAGE's customer licences specifically allow mining of the text and data

Leo Walford, Executive Director

7 February 2013

Written evidence submitted by the Social History Society of the UK

SUMMARY

We welcome the Committee's decision to inquire into the Government's policy regarding Open Access (OA). Important issues are at stake. These are not about the protection of vested commercial interests but concern intellectual values that lie at the very heart of the UK Higher Education's outstanding achievement in the humanities and social sciences (HSS). Of Britain's many learned societies, we are the largest to focus upon the expanding field social and cultural history. We argue below that:

- Government, research councils and HEFCE should extend the period over which the Finch recommendations are implemented.
- This period should be until the research funding allocation exercise after the current Research Excellence Framework (REF2014) is completed.
- The case for this extension rests upon the need for full consultation about the impact of the gold route to OA publishing on UK humanities research capability, and for detailed financial modelling of the potential consequences of "going for gold".
- The applicability of OA publishing to the key research media of monographs and edited volumes needs detailed appraisal.
- The "green", not the "gold", route should be specified as the appropriate potential pathway for HSS journal publishing.

That whatever OA publishing policy is eventually applied, it should be under a creative commons non-commercial non-derivative (CCBY NC ND) licence only.

1. Founded in 1976, the Social History Society has some 430 members. Like many UK learned societies, it publishes a refereed academic journal, *Cultural & Social History*. This is placed by the European Science Foundation in its top category, INT1, defined as "international publications with high visibility and influence among researchers in the various research domains in different countries, regularly cited all over the world."⁸⁵ As is common with such journals, subscription revenue from the journal funds the basic costs of editing and of rigorous peer review of submissions (the editors and their advisory board are unpaid). Revenue also helps fund the Society's other activities, which include the provision of bursaries and an annual prize for postgraduate researchers, and the organisation of a substantial annual conference, attracting researchers from across the world to the UK.

2. The Society fully supports initiatives to make scholarship as widely and freely available as possible. High subscription charges are a barrier to the flow of information. Thus OA looks attractive. However, the regime proposed by the Finch Report (and endorsed by the UK research councils, HEFCE and the Government) threatens to replace this barrier with another, no-more conducive to enhancing the pace at which knowledge accumulates and which has the potential to undermine an academic culture that currently makes the UK a world leader in arts and humanities research.

⁸⁵ <http://www.esf.org/research-areas/humanities/erih-european-reference-index-for-the-humanities/erih-foreword.html>

3. The arts and humanities are fields where the UK “punches above its weight”, in terms both of the volume and the quality of work published by researchers. A powerful factor underpinning UK performance in HSS is the work of a plethora of learned societies. “The Finch Report”, in the fourth of its *Key Actions* clearly called for “the position of learned societies that rely on publishing revenues to fund their core activities, the speed with which they can change their publishing business models, and the impact on the services they provide to the UK research community” to be kept under review. It is a matter of regret that, until now, little attention has been paid to the position of learned societies. The headlong pace at which policy to introduce OA is being developed by the Government, HEFCE and the research councils paradoxically threatens the “complex ecology of research” recognised by the Finch Report.

4. The “gold model” advocated in the Finch Report, along with the Article Processing Charges (APCs) upon which it depends, is being driven through more forcefully than the Finch Report advocated. It is essentially geared to the research culture and *modus operandi* of medical and natural sciences and has limited compatibility with the arts and humanities, where journal subscriptions are typically lower, and articles have a longer “half-life”, impacting for longer on their discipline.

5. APCs for HSS journals will not be negligible. Data on the average cost of APCs is presently unreliable but, as the Royal Historical Society pointed out in its submission to the recent House of Lords Science & Technology Select Committee’s short inquiry into OA (Lord Krebs’s committee), costs in history journals could reach £3,000 or even £7,000 for some publications. Even if APC are modest, the cumulative cost will be massive—funds that would be better invested in the process of research. Unless funding the process of research is prioritized the UK’s pre-eminent position in global research will be threatened.

6. While funding towards the cost of APCs is being made available by RCUK in the form of a block grant this is restricted to certain institutions only. Furthermore it will support only 80% of the costs: HEIs are left to source the other 20%, the administrative procedures for which will themselves incur costs.

7. HSS journals appear with lower frequency than their STEM counterparts and contain fewer and typically longer articles. The gold OA model requires researchers who wish to publish in a journal to pay up front. A “producer pays” principle will privilege those researchers whose funders can afford to pay gold APCs. Independent scholars and retired HE staff, self-financed postgraduate and post-doctoral researchers (a significant proportion of the UK postgraduate community), early career researchers on fixed-term contracts, and those whose academic departments are unable to meet the costs of APCs, may be forced to submit research to other than their first choice journals or, conceivably not to publish at all in the main recognized journals in their field. Universities themselves concede that there may have to be rationing of APCs thereby reducing the number of publications produced.

8. The UK’s many internationally renowned journals are a key component of the nation’s knowledge-based economy. Their contributors, no less than their readers, come from across the global scholarly community. However, there is a danger that a rapid and un-moderated move to OA will render them parochial. Undiluted commitment to gold OA is also out of step with the policies of funding agencies in the USA and EU, where green route OA figures much more prominently. The global academic “playing field” would no longer be level and UK researchers will be disadvantaged. Furthermore, non-UK researchers with significant international reputations regularly publish in UK journals. Working within different funding regimes, there will be a strong disincentive for them to publish in British journals (and it will be particularly difficult for researchers from the developing world to meet the costs of APCs).

9. To take *Cultural & Social History* as an example: in the past five years, we have received submissions from 336 authors, more than half of them from outside the UK (EU, 71; US 63; Rest of the World, 51; 151 British). Clearly we must expect that the 185 submissions from outside the UK would not be eligible for APC funding, which makes it highly unlikely that we would receive these submissions if we were to move to the gold model. Stripped of over half its submissions, the range and quality of articles in our journal would be seriously, and negatively, impacted. The high number of overseas submissions is also evident in the figures for the work actually published: since 2010 we have published articles by 167 authors, 78 of them from outside the UK (North America, 33; Australasia 21; EU, 20; Rest of World, 4).

10. Even if we could sustain our journal without these overseas submissions, there is a further serious problem. Of the 89 articles published since 2010 by British authors, only 56 were in permanent academic posts (and therefore potentially eligible for institutional support for their APCs). The implications of the gold route for the remaining 33 would have been alarming: 27 were scholars who were either retired, students or employed on temporary contracts; a further 6 were entirely outside the academic system (independent or employed by museums or galleries). We must in particular highlight the serious and worrying implications for the non-tenured early-career researchers (21 of our authors), who are at an insecure stage of their career yet must publish journal articles if they are to progress.

11. All these scholars are injured by the gold model but not by OA *per se*. Though surely an un-intended consequence, the move to gold in HSS publishing would serve to render a vibrant, international journal into an outlet for UK authors only. This cannot be in the national interest. We therefore urge the committee to explore green as a system which is both more practical and fairer for our discipline.

12. The editors of *Cultural & Social History*, with the support of the Society's Chair, signed an open letter on OA (along with the editors of 20 other eminent UK history journals).⁸⁶ These editors have rightly signalled that they will accept gold APCs on the condition that publication by this route will be a creative commons non-commercial non-derivative (CCBY NC ND) licence only. CCBY NC ND licences protect against commercial reuse, or tweaking or reuse of parts of an article [text mining]. CCBY NC ND licencing is more appropriate to humanities and social science research. Whereas in STEM disciplines the patent system often defends intellectual property, this is seldom possible in the humanities.

13. However, specifying that "gold" access should be given an unfettered creative commons licence, one that permits commercial re-use, offers virtually no protection against plagiarism (republishing of an author's work will be possible, subject to the author being merely "credited"). Unfettered creative commons licensing would constitute a serious infringement of intellectual property rights and pose a threat to UK intellectual capital.

14. Trust in the integrity of process by which academic journals process the submissions they receive may also be jeopardized by OA. Editors of learned journals and the boards and reviewers who assist them gain no direct monetary advantage from the present system: while they may receive (often nominal) expenses, their inputs are made on a *pro bono* basis. A contributor-based APC system jeopardizes this: it will be open to the suspicion that quality judgments may be trumped by financial considerations.

15. Powerful questions of academic freedom are also posed, not least because following the 2014 REF direct funding for research from HEFCE will only be awarded to research graded 3* or 4* research in the REF. Limited scope for direct commercial sponsorship means that humanities departments depend upon this funding to a considerably greater extent than their STEM counterparts; indeed, it is the primary source of research funding for many departments. Researchers judged to be at the lower margin of 3* or below, as judged internally, might face restricted access to funding for APCs. Even highly rated researchers might find that the number funded of APCs is limited. (The current REF requires, like its precursors, a maximum of four research outputs over the period it covers for each researcher submitted.) And if, as HEFCE have suggested, OA publication will be a pre-condition for an output to be considered in any successor exercise to the REF then UK researchers may find themselves effectively banned from publishing their research in many top-rated non-UK journals.

16. Furthermore, monographs and edited volumes (and journals' reviews of these), are central to the intellectual vitality of UK historical research. As the Finch Report itself noted, "the difficulties now faced by authors and publishers [in the humanities] in developing a secure future for monographs is a matter of concern".⁸⁷ OA policies should not be developed without taking appropriate account of the need to safeguard these key media for disseminating research.

17. A resolution to the problems posed by gold OA rests in the "green" route, where no fee is paid by the author to a journal. Instead, articles must be made freely available on-line after an embargo period. It has been mooted that this period might be as little as six to twelve months. In his evidence to Lord Krebs's committee, the Chair of RCUK clarified that the policy of a 12 month embargo for humanities research was an aspiration after five years. This is insufficient and we note that BIS in its response to the Finch Report endorsed a figure of 24 months. The open letter from editors of eminent UK history journals (see 12 above) affirms the availability of a green route, but argues that a period of embargo of 36 months is the shortest possible period that would still protect the viability of the subscription-funded organisations, which have to pay for copy editing and the management of peer review. It is fully consistent with the need to make research publicly available, and better reflects the longer "half life" of HSS journal articles (see 4 above). The UK has pioneered green OA and in those HEIs that require it, compliance with green OA requirements is already high.

CONCLUSION

We therefore wish to suggest that:

- Government, research councils and HEFCE should extend the period over which the Finch recommendations are implemented.
- This period should be until the research funding allocation exercise after the current Research Excellence Framework (REF2014) is completed.
- The case for this extension rests upon the need for full consultation about the impact of the gold route to OA publishing on UK humanities research capability, and for detailed financial modelling of the potential consequences of "going for gold".
- The applicability of OA publishing to the key research media of monographs and edited volumes needs detailed appraisal.
- The "green", not the "gold", route should be specified as the appropriate potential pathway for HSS journal publishing.

⁸⁶ <http://www.history.ac.uk/news/2012-12-10/statement-position-relation-open-access>

⁸⁷ Finch Report, p. 46.

- That whatever OA publishing policy is eventually applied, it should be under a creative commons non-commercial non-derivative (CCBY NC ND) licence only.

7 February 2013

Written evidence submitted by the Society of Biology

The Society of Biology is a single unified voice, representing a diverse membership of individuals, learned societies and other organisations. We are committed to ensuring that we provide Government and other policy makers—including funders of biological education and research—with a distinct point of access to authoritative, independent, and evidence-based opinion, representative of the widest range of bioscience disciplines.

The Society welcomes the interest of the Committee and is pleased to offer these comments, gathered in consultation with our members and advisors for your consideration.

SUMMARY

- The Society of Biology welcomes policies that maximise access to research outputs; however the current policies on open access (OA) publishing have the potential for significant unintended consequences on the UK research base and economy.
- We recommend that an impact study of OA policies is carried out to highlight any counterproductive effects and to determine if and how OA creates economic growth in the UK as predicted.
- As funding has only been provided for 45% of article processing charges (APC) for RCUK funded research in 2013–14, it is difficult to see how research institutions will pick up this shortfall, particularly over the transition period.
- Researchers will experience variation across disciplines and institutions in terms allocation of funds for OA publication charges, required embargo periods, and the impact of international collaborations. CC-BY licensing should be de-coupled from the OA mandate until the economic implications for the UK are understood through a full inquiry, engaging all stakeholders.
- Thought must be given to the transition period to ensure that Learned Societies who rely on publishing income are able to continue supporting the skills pipeline and career development in their discipline, engage with the public dissemination of science and offer expert advice to policy makers.
- We are keen to enter into dialogue on the opportunities and challenges of OA with government, the higher education community, funding bodies and publishers, to determine appropriate solutions that will maximise both access to research outputs and the capacity to underpin growth and excellence in the research community.

The Government's acceptance of the recommendations of the Finch Group Report "Accessibility, sustainability, excellence: how to expand access to research publications", including its preference for the "gold" over the "green" open access model.

1. Many learned societies view OA developments from a broad perspective. An OA policy can assist charitable objectives by maximising access to research outputs, but at the same time can make their capacity for future financial support of their discipline more uncertain. The potential loss of income will impact major activities within their discipline, including support for the skills pipeline and career development, engaging with the public dissemination of science, and offering expert advice to policy makers.

2. We are therefore keen to enter into dialogue on the opportunities and challenges of OA with government, the higher education community, funding bodies and publishers, to determine appropriate solutions that will maximise both access to research outputs and the capacity to underpin growth and excellence in the research community.

3. The current policies on OA publishing have the potential for significant unintended consequences on the UK research base and economy—it is vital that these are addressed. Some of these potential impacts are indicated in the Finch Report, but there has been little concerted action to address them thus far and the lapse of time is adding to concern.

4. We recommend that an impact study of OA policies is carried out to highlight any counterproductive effects and to determine if and how OA creates economic growth in the UK as predicted. This is in line with recommendations to other EU governments, such as the Groupement Français de l'Industrie de l'Information (GFII) in France, who recommend an impact study to ascertain suitable business models for Gold OA, adequate embargo periods for each discipline and the impact of OA on the publishing sector.⁸⁸

⁸⁸ Recommendations of the European Commission on Open Access : GFII's first comments <http://www.gfii.fr/en/presse/recommandations-de-la-commission-europeenne-en-matiere-d-open-access-premieres-observations-du-gfii?symfony=bpfnsnklo2aerga0mc0jod8974>

5. We note that RCUK propose to review implementation of the policy in 2014 to make any appropriate mid-course corrections—we would urge the RCUK to widen the breadth of stakeholders that it consults, including learned societies and learned society publishers.

Rights of use and re-use in relation to open access research publications, including the implications of Creative Commons ‘CC-BY’ licences.

6. There are concerns about the Creative Commons Attribution (CC-BY) licence and the commercial use of research. Clearer guidance is needed and leadership by the Research Councils would promote progress in this area.

7. The CC-BY requirement has some potential to cause the UK economic harm, both in the research arena and capitalising on UK research. CC-BY licensing should be de-coupled from the OA mandate until the economic implications for the UK are understood through a full inquiry, engaging all stakeholders. For example, the mandated application of a CC-BY licence may breach existing arrangements, where researchers obtain funding from industry partners; this could preclude future partnerships, effectively closing doors to commercial funding of UK science.

8. In order to commercialise research output, it is usually necessary to secure a proprietary position, which is often done through patenting. Once data are in the public domain (ie published), they constitute “prior art” and will preclude/restrict the granting of patent claims, due to lack of novelty. It is often the case that a commercial partner will prevent, or at least delay, publication of research that it has funded.

The costs of article processing charges (APCs) and the implications for research funding and for the taxpayer.

9. Research institutions need clear guidance from funders about how to allocate OA funding and charges, and University administrators need support to understand and effectively implement policy, and inform researchers of their publishing options and obligations.

10. The RCUK initial funding and the subsequent block grants to aid implementation of its policy on OA are a welcome start. The RCUK initial funds have been an important catalyst for the establishment of University OA funds and the clarification of OA publishing policies, however there is concern that the RCUK has seriously underestimated the funds needed for OA publishing. As funding has only been provided for 45% of article processing charges (APC) for RCUK funded research in 2013–14, it is difficult to see how research institutions will pick up this shortfall, particularly over the transition period. Future funding levels appear insufficient to cover APCs and sustain the level of publishing previously achieved. Some Universities are piloting internal funding mechanisms to address underfunding of (or indeed unfunded) authors, for example the University of Nottingham’s scheme⁸⁹, but as the scale of demand is likely to increase so will the strain on these provisions.

11. A great deal of research is funded by small scale grants (eg PhD research grants and minor charity funding) or occurs as a ‘spin off’ from major research projects, and is not funded directly. Funds are not generally available within universities and other institutions to pay for OA publication of this type of research. Smaller organisations and specialist societies are likely to be hit especially hard, and retired scientists are unlikely to have access to these funds. It is also unclear how indirect grant moneys will be handled given the TRAC methodology for allocating overheads. As most research outputs are published after the end of the grant, they cannot be accounted during the grant funding period. The TRAC methodology makes it difficult to introduce new funding strands to indirect grant funding.

12. It is still unclear how funds will be accessed by researchers and how money will be ring-fenced and managed by universities. It seems to have fallen to universities to establish an effective mechanism for OA funding, but greater guidance from funders is needed. There is uncertainty about the methods of allocation of funds, as well as concern that funding may be inequitably distributed amongst authors. Prioritising access based on seniority of the researcher or research area, and the OA funding requirements of primary and secondary authors, particularly for international research, will be problematic; this may discourage UK authors from taking primary authorship. If APCs apply across the board, it may be that some researchers will feel unable to submit their work to the most appropriate (and possibly greatest impact) journal as they are unable to access APCs.

13. There is concern that the development of mechanisms to allocate publishing charges within universities and funded institutions will themselves absorb a significant proportion of the funds allocated for OA charges. Many systems are currently being created to align with existing accounting mechanisms and there is concern that they will lose efficiency and become less cost-effective with time.

14. The allocation of APCs is unclear for multi-authored papers that are funded by multiple grants, and similarly when a researcher moves institution mid-way through a project.

15. Funds will also be needed to sustain the costs of maintaining journal subscriptions in the transition period, as researchers require access to material in other publications and to material for which no APC has been paid.

⁸⁹ <http://www.nottingham.ac.uk/is/finding/openaccess.aspx>

16. Insufficient funding for APCs could lead to the loss of some reasonably-priced high-impact journals, especially those published by societies. This would also create a loss of significant export revenue for the UK.

17. It is not clear that the full implications to universities of transfer of funding from the Funding Councils [Scottish Funding Council (SFC), Higher Education Funding Councils for England (HEFCE) and Wales (HEFCW) and Department for Employment and Learning, Northern Ireland (DELNI)] to research budgets have been considered.

The level of 'gold' open access uptake in the rest of the world versus the UK, and the ability of UK higher education institutions to remain competitive.

18. Research publication is increasingly a global activity, and so OA policy setting raises concern about the capacity of UK publishers to remain internationally competitive. The UK is a significant but relatively small market for publishers, so a major challenge will remain until international publishers universally adopt publishing approaches that are acceptable to UK authors, funders and the Government. As many of the highest-impact bioscience society publishers are based in the USA and may not offer optional open access or appropriate embargos, this may become a closed publication avenue for UK researchers, thus damaging the UK bioscience base.

19. The APC model may also discriminate against scientists from the developing world who may not have access to funding. Currently many learned societies provide journal access to these authors at reduced rate or free of charge and there are voluntary schemes whereby publishers waive APC for disadvantaged authors.

7 February 2013

MEMBER ORGANISATIONS

Agriculture and Horticulture Development Board
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Association of Applied Biologists
Biochemical Society
Biosciences KTN
Breakspear Hospital
British Andrology Society
British Association for Lung Research
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British Ecological Society
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British Microcirculation Society
British Mycological Society
British Neuroscience Association
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British Psychological Society
British Society for Gene and Cell Therapy
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British Society for Matrix Biology
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The Ethical Medicines Industry Group
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Institute of Animal Technology

International Biometric Society
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 UK-SOL—Solanacea Research Community
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Written evidence submitted by the Society for Research into Higher Education (SRHE)

EXECUTIVE SUMMARY

1. **It is the speed with which the UK Government and its agencies have initiated and introduced a policy on Open Access (OA) which is our current primary concern, as this has been done without taking proper account of the key issues, their impact both nationally and internationally, and the potential for collateral damage.** The opportunities for consultation prior to reaching policy decisions have been inadequate and very limited. It has not been an open or transparent process.

2. The BIS initiatives on OA appear to have been dominated by considerations relevant specifically to the Science, Technology, Engineering and Mathematics (STEM) subjects. This is understandable, given the investment in STEM research. There are, however, extremely important issues which arise in the HSS subjects which need to be properly understood and addressed. Many of the concerns we express in this submission do apply across all subject areas. **Concerns about the impact on the UK international reputation, the quality of UK research publications and the potential for commercial exploitation are very much universal concerns.**

3. **Whilst the apparent aims of this OA initiative, at least initially, were to reduce costs in universities budgets and promote access to UK research, we are in danger of achieving neither objective. Developing a workable, economically sensible Open Access Policy for the UK does merit a proper and inclusive consultative process, prior to the formulation of policy direction.**

We do not believe that an OA policy in this current form, introduced at high speed, will serve the UK well. The issues we are raising are not a resistance to the concept of open access but are about the implementation and consequences of this policy in its current form.

4. **The apparent desire for the UK to “lead the field” in OA publishing and a belief that the rest of the world will follow is not supported by current available evidence.** Any potential short-term gains for UK higher education budgets and the UK tax payer are questionable and need to be balanced against the wider international issues at stake. **There has been no evidenced cost benefit analysis of the UK Government OA policy and recent statements from RCUK and HEFCE have made it clear that Open Access policies are driven by an ideology rather than sound economic justification.**

5. **Journal publication is a global enterprise and the potential for UK authors to be excluded from publishing in leading international journals is real. The USA is already moving away from considering “gold” OA as an option and 25 US institutions have already signed up to the Harvard’s Green OA policy model. Given that only 6% of research published world-wide is produced in the UK, these are highly significant indications of the likely global position on OA. UK universities and libraries will need to continue to pay for access to international research through subscription models.**

6. It is now evident that, across the UK academic community, there are important shared concerns about these OA proposals.

These are: **the additional costs to universities, damaging policies on embargo periods, the threat to the international reputation of UK research, inappropriate licencing arrangements, restrictions on academic freedom and access to publication and the impact on the Learned Societies.**

7. We recognise that Committee time to examine all of the issues which will be raised will be limited and for this reason we have kept our submission to this inquiry short and avoided the inclusion of detailed evidential data. We have focused our comments on the questions that were highlighted as being of particular interest to the Committee and on the core issues of concern to the Learned Societies.

EVIDENCE

The Governments acceptance of the recommendations for “gold” over “green”.

8. **We believe that there has been insufficient examination of the merits and demerits of different approaches to achieving OA goals (ie Gold, Green or hybrid) or of the differential impact of a broadly unified approach on the Humanities and Social Science subjects (HSS) as opposed to STEM.**

9. We know that “gold” OA funding for the HSS subjects will be limited and rationed. Currently decisions on the acceptance of articles are made by journal editors, based on a robust process of peer review. This editorial freedom is inevitably going to come under commercial pressure with an “author pays” model. In our subject area only a very small percentage of research is funded by major grants or by RCUK, meaning that access to APC funds for publication will not be available and competition for university APC funds will be intense, and for many researchers, unattainable. For this research base a sustainable “green” model for the long term has to be retained.

10. Articles published in HSS journals are usually of longer length than is the norm for STEM, we have very high rejection rates and peer review and editorial costs are higher as a consequence. Article Processing Charges (APCs) are therefore likely to be higher for HSS journals and establishing a market approach to driving down APC costs over time puts the publication of much HSS research, where RCUK or other significant direct funding is not the norm, at significant risk.

11. **There are risks associated with a full “green” approach** and to survive in an environment of very limited funding most journals in the HSS subjects will have little option other than to operate on a hybrid model, which will offer a “gold” option but continue to rely on subscription income. This is why the position on embargo periods is so important and why the current lack of clarity between the positions of the UK Government, RCUK and HEFCE is especially damaging.

12. The future of such hybrid journals, which are essentially what SRHE has now, will be entirely dependent on reaching clear and long-term agreements on embargo periods. These are essential in HSS publications given

the much longer “half-lives” of HSS articles. (Evidence for this can be demonstrated through detailed analysis of on-line downloads). **We are seeking embargo periods of 18–24 months, as is the norm at present, to be sustained and accepted without a time limitation.** This will leave intact a Learned Society publishing model, shared by the majority of Societies, which facilitates Open Access and maintains a legitimate income stream where the Society engagement has brought significant added value, most especially in supporting the editorial and peer review process. Setting a time limitation of five years by which time all embargo periods must reduce to fit an RCUK model of 6–12 months merely postpones a serious problem-it does not solve it. **There are currently differences in the stance taken on embargo periods between BIS and RCUK which need to be resolved.**

The implications of Creative Commons “CC BY” licences.

13 Stipulating that to be “OA compliant” articles must be published under CC BY licensing arrangements has not been adequately justified and the resistance to considering alternatives is perplexing given that **the CC BY licence does not provide sufficient protection for author rights and leaves open the potential for commercial exploitation of UK funded research.** This is a concern shared across the subject areas. In HSS subjects the issue of enabling data mining does not arise as the vast majority of data sets underpinning research are in the form of census and other longitudinal study materials already in the public domain. For the Arts and Humanities CC BY licencing gives rise to significant technical difficulties, particularly relating to the inclusion of third party and other copy-righted material.

14. We are extremely concerned about the current policy decision to require only the lowest form of protection for authors and all publishing partners by limiting copyright licensing arrangements to Creative Commons Attribution (CC BY). **We strongly support and advise a full Attribution-Non Commercial-No Derivatives (CC BY NC- ND) form of licensing.** We do so for two reasons.

15. This form of licensing places no restriction on the access to research material but protects the author, publisher and the funders from commercial and derivative re-use of their material and data. Of equal importance is the issue of commercial exploitation which will not have any direct benefit for the UK. As the current policy proposals stand, the international research and business community will have free and immediate (or very swift) access to UK research whilst UK higher education will need to continue to subscribe to international journals in order to access any non-UK research. **We believe that with a world-wide interest in developing online resources in higher education, which will largely be offered through private for-profit businesses, any lesser form of licensing arrangements will allow for the commercial exploitation of UK funded research as an unintended consequence of enabling Open Access.**

16. Much of the research material published on pedagogy for example, often drawn from UK institutional research, is of sufficient detail to form the basis of teaching materials and current copyright protections held by the publishers offer both protection and, if necessary, redress for such unauthorised direct commercial re-use.

THE GLOBAL POSITION ON OPEN ACCESS

17. **Journal publication is a global enterprise and the potential for UK authors to be excluded from publishing in leading international journals is very real.** RCUK have made public pronouncements on the direction in which the rest of the world will move on OA but currently there is no secure evidence that the rest of the world will follow. The USA is already moving away from considering “gold” OA as an option and 25 US institutions have already signed up to the Harvard’s Green OA policy model. In the European context although Horizon 2020 has an open access mandate, at the individual country level there are such no parallel developments.

18. **The RCUK policy is viewed internationally as constraining journal choice and out of step with the rest of the world where variations of “green” with optional “gold” policies are the preferred route.** There is similarly no current evidence from within our research community globally, where we have substantial international representation on all our editorial boards, that international journals will make any adjustments to be compliant with the requirements of UK funding bodies.

19. **Given that 6% of research published world-wide is produced in the UK, these are highly significant indications of the likely global position on OA.**

It is important in a global context to recognise that 85–90% of the subscription income from the SRHE’s top performing journal comes from outside the UK. This is a pattern shared by many other journals of international renown and the portrayal of all UK academic publishers as merely operating as a drain on UK tax payer resources is unwarranted and cannot be levelled at the Learned Societies in positions such as ours.

Just as our membership income is derived from our global academic community, so is our publications income. **We serve a global community and the intentions of other countries in respect of OA will impact on Learned Societies and on the UK academic research community.** There is potentially a sustainable global income stream for the very best journals but UK APC funded authors are likely to have limited access to these journals in the future.

20. **UK universities and libraries will need to continue to pay for access to international research through subscription models. If UK-based Learned Societies cannot sustain their international journals libraries will have to provide access to non-UK research articles for their researchers through subscribing to US and other international journals, at higher cost than ours, thus taking UK tax payer money out of the UK , income away the UK-based Learned Societies and helping our international competitors to flourish.**

ACADEMIC FREEDOM AND ACCESS TO PUBLICATION

21. **The decision to place OA funding with HEIs, through the allocation of block funds for APCs, raises concerns about how decisions on providing access to APC funds will be taken and who will take them.** It also fails to recognise the impact, acknowledged in the Finch Report, on the humanities and social science (HSS) subjects where significant RCUK funding is not the norm.

22. **Universities will now determine what gets published, with a consequential impact on quality, the role of peer review and access to publications across the board and creating an especially difficult position for early career researchers.**

The availability of funds to support OA in our field will be very limited. Newer and early career researchers will have greatly reduced opportunities to develop the publishing profile on which their academic careers will still depend. The costs to universities of managing the APC process are already proving considerable.

The impact on the Learned Societies and their future capacity to support and sustain their academic communities

23. **The impact of a fast transition to “gold” OA on the Learned Societies is being dismissed as relatively unimportant and the impact on our capacity to continue the work we do viewed as acceptable collateral damage.** The Learned Societies stand accused of reacting solely to protect the income stream they receive from their publications.

24. Our concerns on current UK Government plans for OA are not protectionist and do not stem from a dominant anxiety about financial issues. **We exist to support and sustain research and researchers in our field and do not seek to protect an income stream against a well-made case for greater open access to published research.** The industry academic publishers have been afforded considerable access to a range of opportunities to put their case whereas the Learned Societies as publishers, as opposed to “interested parties”, have not. As a consequence it is apparent that the UK Government has a limited understanding of the nature of publishing agreements where Learned Societies own and hold the title to academic journals.

25. In the case of the Society for Research into Higher Education we already provide various routes to “green OA” and allow deposition of all articles in institutional repositories. There are no unaffordable APCs. **All we need to continue these practices is for a reasonable embargo period (18–24 months) to be agreed without a time limitation on this policy.**

26. SRHE is the publisher or publishing partner, of journals and monographs and has been for 50 years. **All the Society income, drawn primarily from publications income (87%) but also from membership subscriptions world-wide and from events and other activities, is used to sustain scholarly activities and support our research community.** Over the past ten years we have taken up the provision of many activities once undertaken by the research councils and the universities, all of which has been directly funded by our publications income. One simple demonstration of this is that we now run and fund annually a series of professional development workshops for early career researchers which are fully booked by UK universities research staff and regularly oversubscribed. It is ironic that it is this type of activity which will cease if revenue is lost from cancelled journal subscriptions.

27. **Society publishing contracts have always taken full account of issues of access to published research. We are able to exert control over the setting of journal subscription rates and fully support placement of articles in university depositories and negotiate a wide range of affordable access initiatives to published research globally, especially in the developing world. The current UK OA policy has handed back to the commercial publishers aspects we had gained control over and where we could represent academic research interests.** We are therefore now in a position where we have an OA policy which continues to enable funds to flow into publications through but in a form which significantly reduces the power of both the academic research community and Learned Societies to leverage benefit for their research communities.

28. Deriving an income from publication contracts and using this income to develop a range of new services for researchers, especially new digital resources, rather than relying on a fluctuating membership base and income stream, has enabled the Society to extend significantly its public benefit, freeing us to offer services and facilities to a much wider public group.

CONCLUSIONS AND RECOMMENDATIONS

29. The Society for Research into Higher Education (SRHE) has a number of concerns about the Government’s Open Access Policy which we believe need to be properly understood and evaluated before any

OA policy recommendations are implemented. We are especially concerned about the speed of implementation. Much of what has happened since the publication of the *Report of the Working Group on Expanding Access to Published Research Findings* (the Finch Report) in July 2012 has sought to drive through a policy based on the recommendations of the Working Group, despite legitimate objections raised on a range of issues, even before publication of the report, by a very wide range of organisations and individuals.

30. The Working Group made a clear recommendation that a process of gradual transition over at least a five year period was essential to the successful introduction of their recommended open access policy and yet policy pronouncements which have followed, from RCUK particularly, require compliance by 1 April 2013. HEFCE policies in relation to the REF 2020 will require OA compliance for all REF submissions well within the recommended transition period.

31. The Finch Report has been relied on to justify the swift and broad adoption of one very particular route to achieving Open Access, without proper scrutiny of alternative options or the fact that a “one size fits all” approach across STEM and Humanities and Social Science (HSS) subjects presents a range of difficulties. As a consequence, there are significant issues for higher education research across the subject areas which have not been properly examined.

32. Despite public statements to the contrary, the engagement with stakeholders in the development of these OA policies has been extremely limited and narrowly focused. In particular one main driver has been meeting the interests of access to STEM research outputs, which has meant that the range of issues which arise for HSS subjects have not been fully appreciated. A second problem has been an over-reliance on the input of the commercial publishers coupled with a lack of consultation with the Learned Societies, who are major publishers in their own right.

33. It will not be sufficient to rely on a variety of guidelines which may seek to afford variations on policy requirements in the short term, as has been suggested in certain circumstances by RCUK and HEFCE. The nature of academic publishing requires the capacity to invest for the long term, especially in the development and maintenance of large scale projects such as the provision of sophisticated on-line platforms, archiving and abstract reference databases. The issues which have been identified as having serious long term consequences, potentially unintended, need to be addressed now.

34. The question therefore arises as to what steps can be taken now to ensure that such a major policy issue is subject to proper analysis and review. It now seems clear that there has to be a fuller process of investigation and genuine inquiry before policy decisions are fixed and implemented.

35. We recommend that a formally constituted review of the UK Government plans on OA should be undertaken before any policy decisions are implemented, with the specific objective of examining or, where necessary, re-examining:

- (i) the global position of academic publishing on OA to ensure that a policy on OA is developed which will serve the UK well, now and in the future, in what is a global publishing market;
- (ii) the “one size fits all” approach to OA and whether this is the right decision for the UK when the impact on the social sciences, arts and humanities will be very different to the impact for the STEM subjects. This re-examination must look again at the issues which have been raised in relation to licensing arrangements and embargo periods);
- (iii) the true economic benefits to the UK and direct and indirect financial costs to the UK;
- (iv) the implications for the reputation of UK research; and
- (v) researcher access to publication across the subject areas.

ABOUT SRHE

The Society for Research into Higher Education (SRHE) is an independent and financially self-supporting international learned Society. It seeks to advance understanding of higher education, especially through the insights, perspectives and knowledge offered by systematic research and scholarship.

Professor Jill Jameson, Chair

Ms Helen Perkins, Director

7 February 2013

Written evidence submitted by the Socio-Legal Studies Association

1. The Socio-Legal Studies Association (SLSA) is a learned society, the aims of which are to advance education and learning and in particular to advance research, teaching and the dissemination of knowledge in the field of socio-legal studies.

2. The SLSA does not publish its own journal or journals, but it does receive substantial sponsorship to support its activities and provide benefits to members from commercially-published socio-legal journals, and hence is concerned about the ongoing viability of those journals and their revenues.

3. This submission addresses in turn each of the topics set out in the Committee's call for written evidence, and concludes with recommendations for action which we would urge the BIS Committee to make to Government, RCUK and HEFCE.

THE GOVERNMENT'S ACCEPTANCE OF THE RECOMMENDATIONS OF THE FINCH REPORT, INCLUDING ITS PREFERENCE FOR THE "GOLD" OVER THE "GREEN" OPEN ACCESS MODEL

4. The SLSA fully supports the objective that the results of publicly funded research should be made freely available to potential research users. Indeed, we are very conscious of the fact that current journal subscription costs limit the availability of much research, particularly internationally, and hence inhibit the flow of information, ideas and productive dialogue.

5. The SLSA does not believe, however, that "gold" OA is the most appropriate or sustainable model of open access for the entire higher education sector. We note that the Finch Committee's preference for "gold" OA is not argued in their report, but is simply taken to be the norm for open access publishing, apparently based on the fact that this is the model which has been adopted by the big open access publishers in the sciences such as BioMedCentral and PLoS, and by commercial publishers, including in "hybrid" journals funded primarily by subscriptions, but offering authors an open access option on payment of an APC. While the field of open access may be well developed in the science disciplines, however, it cannot be described as mature in the humanities and social science disciplines. Although commercial publishers in these disciplines do offer "gold" open access options in hybrid journals, these options have not been taken up in the absence of strong imperatives to do so, mainly due to the fact that they are prohibitively expensive relative to the kinds of funding humanities and social science researchers generally have available to them.

6. We would maintain that "gold" OA is a model which has been developed around the interests of a narrow group of market actors and is not generalisable to the entire sector. Indeed, for humanities and social science disciplines it represents the worst of both worlds. Not only are the kinds of APCs being charged by the commercial publishers prohibitively high, but the business model of funding a journal via APCs rather than subscriptions is far less feasible due to the fact that humanities and social science journals publish different kinds of articles from science journals—ie much longer articles (20pp. plus), and hence a much lower volume of articles per issue, resulting in much lower APC revenue than a science journal publishing articles of 3–5 pages in length may be able to generate.

7. At the same time, widespread implementation of the "green" OA model would be equally destructive of journal revenues in the humanities and social sciences. With a short embargo period of only 12 months, as required by the RCUK mandate, it is foreseeable that all but the most prestigious journals would lose UK library subscriptions, resulting in a substantial reduction in publishing venues. In relation to those journals that continued to operate, UK scholars would be placed at a disadvantage relative to scholars in other parts of the world, whose library subscriptions would give them access to new issues immediately upon publication, whereas UK scholars without library subscriptions would have to wait until the embargo period expired in order to gain access to new journal articles.

8. The threat to the viability of learned society journals and potentially also to commercially-published journals of a rapid and wholesale shift to either "gold" or "green" OA is also a matter of serious concern because journal revenues currently sustain a range of important learned society activities, which in turn help to sustain and develop the academic community. The many ways in which learned societies effectively subsidise their disciplines through, for example, postgraduate scholarships and bursaries, small research grants for early career researchers, seminar and workshop competitions which facilitate the exchange of ideas and generate publications, conference sponsorship, etc. are all at risk.

9. Another relevant difference between the sciences and humanities and social science disciplines in relation to "gold" OA is the fact that HSS researchers are relatively less likely to have their research and publications funded by RCUK research grants—especially in the case of Early Career Researchers—and hence are relatively more likely to be reliant on (in many cases non-existent) institutional funds to pay APCs. Moreover, there is a greater emphasis on PhD students devising their own research topics, meaning that publications from their PhDs are more likely to be sole-authored. Consequently, while science PhDs may be able to get on the publications ladder via joint-authored publications under the auspices of their supervisor's lab and grant funds, humanities and social science PhD students will be much more reliant on institutional funding which again may be non-existent.

10. We believe that in our own and other humanities and social science disciplines, a mixed economy will be necessary in order to fulfil the open access mandate in a sustainable and equitable way. This would include:

- Hybrid journals funded primarily by subscriptions, but with a “green” OA option (with a short embargo period) where needed by UK authors.
- Wholly “green” OA journals with sufficiently long embargo periods to ensure subscriptions remain viable.
- The wide availability of pre-prints on institutional repositories and databases such as the Social Science Research Network (SSRN).
- Low-cost, online open access scholarly journals, established via institutional websites or open source journal editing software such as Open Journal System (OJS).

The latter is the predominant open access model operating in our discipline at present, with these kinds of journals gradually increasing in number and profile, and deserving of policy support.

RIGHTS OF USE AND RE-USE IN RELATION TO OA RESEARCH PUBLICATIONS, INCLUDING THE IMPLICATIONS OF CC-BY LICENCES

11. The implications of CC-BY licences are the subject of live debate within our discipline. On the one hand, it is argued that CC-BY licences effectively licence the theft of intellectual property, with anyone able to re-use research publications subject only to attribution of original publication. This includes re-use for commercial purposes, enabling research to be commercialised without the permission of and without any profit-sharing with the author. Commercial publishers will be able to make windfall profits from taxpayer-funded research without any return to the taxpayer. Universities may find themselves paying for the same research three times: first for the academic salary of the researcher, second for the APC to publish the work, and third for library copies of textbooks which reproduce that work in whole or in part.

12. On the other hand, some researchers take the view that any mechanism that may result in the wider dissemination of their work is a good thing and foregone reproduction fees are a small price to pay for that possibility.

13. We would suggest that the best way to deal with this conflict of views, at least until the longer-term implications of CC-BY become clear, would be to provide authors with the option of electing to licence their work either on a CC-BY or CC-BY-NC basis. These options would need explicitly to be supported and demanded by HEFCE and RCUK.

THE COSTS OF APCs AND IMPLICATIONS FOR RESEARCH FUNDING AND FOR THE TAXPAYER

14. “Gold” OA shifts the cost of research publications from the reader to the author. Just as all readers in the current economy are not equally able to bear these costs, so will there be a lack of equity between authors in the “gold” economy. Inequities will exist between researchers whose work is RCUK grant-funded and those who conduct research on the basis of other grant or QR funding, between authors employed by well-resourced institutions and those employed by institutions which are less well endowed, potentially between established and early career researchers within institutions, potentially between authors working in areas considered more valuable and those working in marginalised areas within institutions, and certainly between authors from countries with mechanisms for paying APCs and those from countries which are not in such a position (a point to which we return below).

15. The hope that RCUK rationing of APC funds will result in market forces driving down the cost of APCs seems unrealistic. Rather, it is likely that market forces will enable the most prestigious journals to maintain their APC charges at a high level, while other journals will be driven out of the market.

16. The fact that funding to pay APCs will be provided only for RCUK grant-funded research, and only for a proportion of the expected number of publications arising from that research, will exacerbate the inequities identified above.

17. In disciplines such as our own in which a relatively small proportion of research is RCUK grant-funded, it is likely that established journals will simply hybridise (as has already occurred in a number of cases), offering an OA option to those who need it to comply with the RCUK mandate while continuing to derive the bulk of their revenue from subscriptions, both within the UK and internationally. It is clearly in publishers’ interests for that OA option to be “gold” rather than “green”. There is no indication that subscription costs will decrease on this model and no imperative or incentive to achieve this result. Universities will thus find themselves paying both subscription charges and APCs.

18. Under this scenario, as indicated above, it would make much more sense for RCUK and universities to advocate adoption of the “green” OA model, with a relatively short embargo period. Subscription revenues, and hence the ongoing financial viability of journals, would not be threatened because the OA option would only apply to a minority of articles. And it would be much less costly for universities than having to pay twice for both subscriptions and APCs, and less costly for RCUK than having to subsidise APCs across all disciplines.

19. As well as the direct costs of APCs, the RCUK mandate and the provision of (inadequate) block funds for the payment of APCs are also creating substantial transaction costs for universities. The need to set up institutional publication funds, to devise rules, principles and procedures for distributing them, to consult widely in doing so, to administer the resulting schemes and to apply for funding, all take up a substantial amount of

the time of academic and administrative staff and university managers, multiplied across the sector, which could be used more productively on core activities.

THE LEVEL OF “GOLD” OA UPTAKE IN THE REST OF THE WORLD COMPARED TO THE UK, AND THE ABILITY OF UK HEIs TO REMAIN COMPETITIVE

20. In the fields of law and socio-legal studies, there has been absolutely no uptake of “gold” OA in the rest of the world, and no indication of any prospect of it being taken up. A large number of journals in the law discipline internationally are published in-house by university law schools rather than by commercial publishers, and derive their revenues from subscriptions and online packages. These journals would not survive if their only source of revenue was APCs.

21. As noted above, the great majority if not all UK law and socio-legal journals would likewise become unviable if reliant on APCs as their sole source of revenue. This is not only because journals in this discipline publish a relatively small number of articles each year so that APCs may not cover the full production and editorial costs, but also because the majority of authors published by these journals are either UK authors whose work is not RCUK-funded, or overseas authors, and these groups will have no or limited access to funds to pay APCs. Even if journals were to survive under a fully “gold” OA model, they would inevitably be publishing fewer or no overseas authors. Such isolation of UK research would be a most unfortunate consequence.

22. The isolation of UK research would be reinforced by the fact that RCUK grant-funded UK researchers will not be able to publish in most overseas journals, because those journals do not offer an OA option. This (presumably unintended) consequence of the RCUK mandate is again unfortunate, as it is likely to prevent some research reaching its optimal audience and thus reaching its full potential in terms of esteem and impact. The statement in the RCUK Guidance that authors will be “expected to select from among [compliant] journals when choosing where to publish their research” is far too simplistic and ignores disciplinary and international realities. If HEFCE adopts the same mandate in relation to entries to the REF2020, this problem will be significantly magnified.

23. By contrast with “gold” OA, the OA model that has been widely adopted in the law discipline is SSRN, an online compilation of abstracts and full-text articles, some (but not all) of which are free to access. Most of the free access papers are working papers or pre-prints, but some are PDFs of published articles, where the journal has chosen to use SSRN as an avenue of dissemination. Although pre-prints do not strictly conform to the open access mandate as they do not constitute the “version of record”, they come as close as possible to satisfying the mandate while co-existing in harmony with a vibrant journal publishing economy.

CONCLUSION AND RECOMMENDATIONS

24. In our submission, neither the “gold” nor the “green” models of OA, as currently constituted, provide a viable way forward for peer reviewed journal publishing of legal and socio-legal research undertaken in UK universities. Within a mixed journal economy, however, we consider that a combination of (appropriately modified) “green” and low cost, no-fee OA models would be preferable to “gold” because they would:

- Be less costly for HEIs, both directly and in terms of the costs of establishing and administering institutional publication funds.
- Avoid windfall profits to journal publishers.
- Maintain equity of access between UK researchers, regardless of career stage, institution or funding status.
- Maintain equity of access between UK and overseas researchers to UK journals.

Even so, this would not solve the problem raised in paragraph 22 above of severely restricted publication options for UK researchers in the international context.

25. We would therefore recommend:

- That the embrace of “gold” OA as the preferred, “one-size-fits-all” model for the publication of research produced in UK HEIs be rethought.
- That RCUK and HEFCE undertake consultation on a discipline-by-discipline basis, taking into account the economy and ecology of peer reviewed journal publishing within each discipline, and determine which model or models are most likely to produce sustainable and equitable open access to UK research within each discipline.

- That RCUK and any future HEFCE mandates specify that the aspiration of making UK research freely available does not restrict the ability of UK researchers to publish in the best available journal for their work, where that journal is a high quality international journal which does not offer an open access option. In this situation, publication of a pre-print on an institutional repository or SSRN should be sufficient to meet grant and any REF requirements.

Professor Rosemary Hunter
University of Kent, Chair of the Association

7 February 2013

Written evidence submitted by Dr Dan Stowell

1. My name is Dr Dan Stowell and I am a postdoctoral researcher, based in the Centre for Digital Music at Queen Mary University London (QMUL). My research group is widely held to be the leading UK group working on signal processing and machine learning for music. Our research is primarily funded by EPSRC and the EU, with other support coming from other research councils, the Royal Academy of Engineering and private donors.

2. I am writing in a personal capacity, as an early-career researcher for whom decisions about where and how to publish are extremely important. For someone in my position, getting my published work to the right audiences is crucial to my career prospects.

3. It appears that there has been a concerted campaign against the CC-BY licence, by journal editors, publishers, and professors in research fields where the transition to open-access is only just beginning (and so some nervousness is understandable). These people have, knowingly or not, promoted some slurs and misconceptions about open access and CC licenses. In some cases this may be motivated by self-interest, but in many cases I'm sure it is just fear of the new in this transition, which is understandable. I am concerned, however, that these misunderstandings may influence policy.

4. Some commentators have talked about CC-BY licensing as undermining intellectual property. A letter from six academics to the London Review of Books claimed that CC-BY "would seriously undermine the integrity of the work scholars produce". However, such licensing has been used productively for many millions of scientific research outputs. The benefits of this explicit common licensing are just beginning to show, raising all boats as researchers such as myself are able not only to access, but also to make use of, the publicly-funded work of others. I have published my own work under various CC licences and seen the benefits come back in citations, reuses and collaborations. Some commentators claim that CC-BY's requirement of "attribution" is an obscure fig-leaf; however, it's almost identical with the long-standing academic practice of citing your sources, which is well understood in all fields.

5. My personal preference is for CC-BY-SA rather than CC-BY, because the "share alike" principle encourages reciprocity. I think this reciprocity would help to settle some concerns about reuse of work, but on the other hand I recognise that "share alike" principles can be quite intimidating to older academics who aren't familiar with the benefits. During this transition period, I would advocate that academics should be allowed to choose freely between gold (CC-BY or CC-BY-SA) or green open access, and that RCUK should not prefer one over the other.

6. A separate aspect of the current plan is the centralisation of publication budgets, from researchers to central university funds. This seems very likely to introduce unproductive competition between researchers within each university, especially if gold OA is to be preferred over green, and I cannot see any reason why publication budgets for APCs should not spread across research project budgets as well as centrally.

RECOMMENDATIONS FOR ACTION:

1. The BIS committee should resist the attempts by vested interests to muddy the issue of CC-BY licensing, and recognise that it has been deployed productively for millions of research outputs.
2. RCUK should allow authors to choose freely between gold (CC-BY or CC-BY-SA) or green open access.
3. Publication budgets should not be forced to be centralised within universities. Funding to support APCs will be essential in the coming years, and can be allocated as part of research grants.

31 January 2013

Written evidence submitted by the Tavistock Institute of Human Relations

1. INTRODUCTION

1.1. The Tavistock Institute of Human Relations (TIHR) is a nationally and internationally recognised independent social science research, consultancy and training organisation. It was established in 1947 as a company limited by guarantee and has charitable status. Its founding and continuing purpose is to apply social sciences to contemporary social problems. Income is derived from its own resources, research grants and contracts for specific research, consultancy, professional development and publishing activities including revenue from international journals *Human Relations* and *Evaluation*.

1.2. *Human Relations* is an international peer reviewed journal, which publishes the highest quality original research to advance our understanding of social relationships at and around work through theoretical development and empirical investigation. It is owned by the TIHR and published under contract by SAGE. *Human Relations* is among the oldest of UK social science journals (established 1947), has a very wide international reach (three-quarters of its submissions come from outside the UK), and the revenue it generates helps to support the activities of the TIHR.

1.3. The TIHR welcomed the Finch Group Report's emphasis on accessibility, sustainability, excellence in a transition to OA. The Finch Group Report and written statements from RCUK and HEFCE leave, however, numerous questions about implementation unanswered and the short timescale for transition to OA risks unintended negative consequences. A move to OA in line with statements from the RCUK and HEFCE could undermine the viability of *Human Relations* and many of the TIHR's activities (see below). We are also aware of concerns raised by researchers (potential *Human Relations* authors) regarding how the transition to OA might impact on their freedom to choose what research they submit for publication and to which journal, as well as their ability to develop their publication record for career progress and to safeguard their intellectual property rights.

2. THE GOLD OA MODEL—ARTICLE PUBLICATION CHARGE (APC) AND CC-BY LICENCE

2.1. Under the Gold model, the “version of record” (publisher's copy edited version) of the research article becomes freely accessible online upon publication by the journal. Publication under a CC-BY (attribution) licence means terms and conditions concerning reuse and remixing are minimal as long as the author is acknowledged. Article Publication Charges (APCs) are often levied by publishers for Gold OA articles.

2.2. While the Gold OA model works well for many STEM disciplines, it is less viable for a social sciences journal such as *Human Relations*—one size does not fit all. Rejection rates are often far higher for HSS than STEM journals (eg 90% versus 10%). Overheads per published article are also higher, owing to the number of articles reviewed but rejected and longer page extents per published article. This suggests that APCs need to be higher for HSS than STEM articles and funding adjusted accordingly.

2.3. The TIHR was pleased to see the Finch Group Report recommendations concerning journal sustainability. Many pure Gold OA journals are underpinned financially by established subscription-based journals from the same publisher. Where organizations such as the TIHR own a single HSS journal, the Gold OA business model may render the journal economically unviable, resulting in an economic and reputational loss to the UK.

2.4. We are aware of author concerns about limited availability of APC funding. Research funding levels are higher for STEM than HSS and can help support APC costs; HSS researchers often receive no direct funding; funding is already limited without it also having to stretch to APCs. The RCUK's block grant to universities to help fund the transition to OA is not enough to cover APCs for the current publication output. There is concern about what will happen when the demand for APCs outstrips the funds available; if this leads to fewer articles being published, how does this help support UK research accessibility and excellence?

2.5. Researchers are concerned about how APC funding will be allocated and academic freedom preserved. STEM researchers are accustomed to responding to funder needs; social science researchers less so and questions of rationing and academic freedom arise. How will the mechanics for allocating APC funding work within individual universities? Allocation of the RCUK block grants do far mostly seems to be on a ‘first come first served’ basis, giving rise to concerns about fairness and transparency once the limited funds run out. It is important that the risk of distortions in allocations and favouring some disciplines against others be avoided.

2.6. Currently editors and peer reviewers from within the field decide which research is published. Under the Gold model, the ability to publish could be determined by university managers instead. What will be the impact on the relationship between an individual researcher and his or her university? Will departments pre-review their staff's work before it is submitted to journals, in order to ensure “best use” of funds for APCs? Will departments limit the number of publications per year, or per REF cycle to cap costs? Who will decide between green and gold options?

2.7. While universities might ring-fence APC funding for early-careers researchers in order to protect recruitment, what about access to APC funding for mid-career researchers? How will retired academics, non-affiliated researchers and independent scholars fund APCs?

2.8. What happens if the best journal for a UK scholar to publish in is a non-UK journal that does not offer OA? Will US journals choose to offer Gold OA or simply forego UK authors? What about multi-authored papers with an international array of contributors, only some of which are bound by OA mandates? Would non-mandated researchers be deterred from collaborating with UK authors, in case it is detrimental to publication in a (non-OA) preferred outlet? How will academic freedom and freedom of choice be preserved? Will authors seek secondary affiliation outside the UK to enable them to submit which papers they like to the journals of their choice?

2.9. Publishing integrity standards need to be maintained in the face of Gold AO. There is a possibility that some journals might feel under pressure to accept more submissions and move to post-publication peer review in order to increase APC income, reduce operating costs and stay viable. While peer review is not perfect it plays an essential role in ensuring the correctness and readability of papers. If acceptance rates are increased to secure more APC income where would this leave academic standards and validity of current journal rankings?

2.10. The Creative Commons CC-BY licence (attribution) allows any reuse/remix, including for commercial purposes. For HSS researchers the interpretation of their data and the context in which extracts of their work is used are both important—many authors will want to retain the need to gain permission to cite research to avoid being misinterpreted or taken out of context, and also to protect any royalty income.

3. THE GREEN OA MODEL—EMBARGO PERIOD

3.1. Under the Green OA model, the version that was accepted for publication (post peer review; pre copy editing) may be deposited by the author in an open institutional or subject repository, subject to a specified embargo period, which depends on the publisher's and research funder's policies. The 'version of record' published by the journal remains behind a journal paywall.

3.2. If the mandated embargo period is too short, libraries will be willing to wait for the post-embargo OA version, and cancel subscriptions. If this occurs, journals, and often the societies which are reliant on the income from subscriptions, will cease to be viable.

3.3. Viable embargo periods depend on the journal half-life, which represents the number of years of publication (back from the current year) which account for 50% of references to each title. This represents a journal's continued utility in front-rank research and is generally much longer in HSS than STEM disciplines. In many STEM subjects researchers seldom refer back to articles published 12, even six months ago; in HSS it is more likely that old volumes are still used and quoted on a regular basis. The RCUK set the embargo at a maximum of six months, or 12 months for ESRC and AHRC funded research (with a view to reducing this to six months too, over time). The 2012 ALPSP survey⁹⁰ of libraries suggested that a 6 months embargo period is likely to result in wholesale cancellations of Arts and HSS journals. Research by the Publishing Consortium (May 2012) suggests that 12 months is a minimum to protect library subscriptions. Editors of 21 UK history journals have opted for a 36 months embargo, while French language HSS journals on the Cairn Info platform have opted for an average embargo of 3.7 years.⁹¹

3.4. Academics want their work to appear in a journal rather than a university repository, hence low rates of author deposits in repositories to date, as evidenced by the PEER Project.⁹² Publishing papers in research journals is the main way of achieving professional recognition. Institutional repositories have relatively poorly-developed international infrastructure—giving rise to issues about article discoverability, linking and a longer term archive. While infrastructure could be developed, this rather reinvents, at great cost, the existing infrastructure provided by publishers.

4. TIHR ACTIVITIES THAT COULD BE NEGATIVELY IMPACTED BY TOO FAST A TRANSITION TO OA

4.1. Too fast a transition to a "one size fits all" model for OA without allowing for adequate consideration of the different needs of different disciplines risks the viability of journals like *Human Relations* and activities of the TIHR.

4.2. We outline below examples of how the TIHR seeks to maximize the wider impact, value and knowledge generated by its work in the UK, Europe and further afield. Many of these activities, we believe, will be negatively impacted by the proposed rapid transition to OA publishing models required by UK funding bodies.

Helping organisations to develop a better evidence base and offer better value for money

4.3. TIHR's work during changing economic, political and social conditions is in addressing the growing need for organisations to ensure that their activities and programmes are well targeted to address the needs of their communities, have an impact on their clients, service users or the wider public and offer good value for money. Just two examples include:

⁹⁰ The potential effect of making journals free after a six month embargo. A report for the Association of Learned, Professional and Society Publishers [ALPSP] and The Publishers Association. May 2012.

<http://www.publishingresearch.net/documents/ALPSPApotentialresultsofsixmonthembargofv.pdf>

⁹¹ Thomas Parisot, Institutional Relations Officer, Cairn.info. <http://www.cairn.info/>

⁹² PEER (Publishing and the Ecology of European Research) Usage Research Reports and Final Project report 2012. <http://www.peerproject.eu/reports/>

- TIHR evaluation of Local Authority Preventing Violent Extremism programmes informed development of next steps and targeted projects to help fulfill programme goals.
- TIHR recommendations on improving the quality of an early draft of measurement indicators for the European Social Fund in the next programming period were taken on board by the European Commission resulting in a greater coherence with what is being monitored within the ESF and the European employment strategy.

Supporting innovation and change

4.4. TIHR is constantly reassessing whether current research and evaluation methods are fit for purpose in the changing economic, political and social conditions. Our current work for the Big Lottery's Realising Ambition programme has identified the need to develop more robust methodological approaches to understand what works when replicating or scaling up social interventions.

TIHR is committed to helping organizations appreciate the value of new technologies and innovation in learning. We achieve this by developing new methodological approaches through, for example, our foresight studies and research on the emergence of Digital Social Innovation. Our work at the European level and as a member of Menon research network focuses on new technologies and innovation in learning.

Applying our knowledge and developing capacity further afield

4.5. TIHR research, evaluation and consultancy projects aim to support people and organisations in finding answers to pressing practical and policy questions. In conjunction with this work, our portfolio of professional development programmes and courses (we provide bursaries to many of our students) specifically designed to share learning—both practical and conceptual—with others who want to expand their own capacities and effect change within their organisations and further afield. The TIHR here finds itself engaged in knowledge export beyond the UK, effective in building the brand and reputation of its work and journals and which returns business to the UK.

4.6. Our current international programme of work includes:

- Research and consultancy around labour relations in China.
- Developing new social welfare models and practice through education in Lithuania.
- Becoming the incubator, evaluator and replication specialist for a parenting programme: Families and Schools Together: an evidence based parenting programme, which brings the latest systems, family therapy and neurological research to an intervention that is designed to improve social capital and thereon the welfare and wellbeing of the child.
- Educational programmes of work in sub-Saharan Africa and the Amazonas, Peru.

4.7. TIHR sees new knowledge creation and its transfer as integral to its work. TIHR researchers and consultants are active contributors and content advisors across a wide range of knowledge areas—from the UK and European Evaluation Societies to the International Society for Psychoanalytical Study of Organisations (ISPSO) and the British Library's Management and Business Studies portal, which brings unique and specialist content to the business management community.

5. RECOMMENDATIONS

5.1. Extend the period for transition to allow non-STEM disciplines enough time to implement OA without sacrificing accessibility, sustainability, and excellence.

5.2. Allow HSS journals to offer authors alternatives to the CC-BY licence.

5.3. If Gold OA is to be mandated for HSS articles, acknowledge that Article Publication Costs (APCs) need to be set high enough to reflect higher publishing overheads than for STEM journals.

5.4. Give due consideration to an appropriate embargo period for Green OA for HSS journals, especially if lack of APC funding means HSS articles will mostly be published Green OA and subscription revenues remain vital to journal viability.

Written evidence submitted by Dr Michael P Taylor

I am an honorary research associate in the Department of Earth Sciences at the University of Bristol. A computer programmer by profession, I completed a Ph.D in my spare time in 2009, and continue to publish research in vertebrate palaeontology. Although my Bristol affiliation gives me reasonable access to paywalled literature, the mechanics of access are cumbersome as I work exclusively off-campus. My unusual circumstances give me a perspective from both inside and outside academia. I speak only for myself, not for the University of Bristol.

EXECUTIVE SUMMARY

1. The UK currently leads the world in Open Access, and as a result enjoys a significant citation advantage; the rest of the world is following.

2. The purpose of funding research is to benefit society as a whole. When publishers' interests conflict with those of broader society, the government must serve society.

3. The inclusion of publishers on the Finch Committee represents a conflict of interest. Some recommendations of the Finch Report were compromised by this conflict of interest.

4. Gold OA has a real advantages over Green OA in that it presents a single Version Of Record. But the Finch Report does not give proper weight to Green OA.

5. The form of Green OA mandated by the RCUK policy is badly compromised in allowing restrictive licences and delayed access that reduce the value of the research.

6. There is no evidence that Green OA negatively affects subscription revenue.

7. CC BY allows commercial re-use by design, in order to obtain the best return on research investment. It explicitly prohibits plagiarism. It does not infringe author's rights, in fact allowing authors to retain more rights than the prevailing copyright-transfer regime.

8. The use of CC BY means that research does not merely allow us to *know* more, but to *do* more. It is not anti-commercial, it is anti-monopoly (and so facilitates an efficient market).

9. Gold OA APCs vary greatly between publishers: traditional publishers are far more expensive than new OA-only publishers. Much lower APCs than the £1500–£2000 quoted by the Finch Report are achievable with no loss of publication quality. Government funding should cover only a base APC of perhaps £1000 to encourage downward pressure on prices.

10. The government must make decisions on the basis of what benefits the UK as a whole, not what benefits any single industry. The government should **allow both Gold and Green OA**; should **require the CC BY licence**, whichever route is taken; should **tolerate no embargo on Green OA**; and should **not fully fund exploitatively high APCs**.

PRINCIPLES

1. First, I enthusiastically welcome the government's clearly stated commitment to Open Access (OA). There is no question that the free availability of research outputs will have a significant positive effect—not only by accelerating further research, but also in the form of practical improvements in health, education and industry.

2. I am also delighted to see the UK leading the world in Open Access. RCUK's pre-Finch OA policy was one of the world's earliest and most significant; the Finch Report established a clarity of vision not previously seen in any national OA policy; and BIS's public commitment to OA in all government-funded work was a world first. As noted below, there are strong pragmatic reasons for the UK to maintain a position of leadership. But even leaving these aside, the symbolic value of leadership in open access can hardly be overstated.

3. Equally, it has been hugely encouraging to see the world following the UK's lead. In the days after the announcement of the UK policy, similar declarations followed from several European countries; and most importantly, the €80M "Horizon 2020" programme of the European Commission also announced an Open Access policy. Global research is not a zero-sum game: the UK's gain is not other countries' loss or vice versa. As more countries open up their research outputs, the whole world benefits.

4. Against this backdrop, implementation issues must be discussed with a simple but important principle in mind: **who is publicly-funded research for?** When the question is stated explicitly, the answer is immediately obvious: it is for the public that funds it—for the citizens whose health, education and economic prospects are all improved by Open Access.

5. Unfortunately, the implementation strategies recommended by the Finch Report are not those that would most benefit the public, but are slanted towards the interests of academic publishers. This is because, as noted on page 113 of the Finch Report, three of the fourteen working members of the group represent publishers. The involvement of publishers in deciding the UK's publishing policy is mystifying, as it represents a clear conflict of interest.

6. There is no question that in the process of research, publishers provide important services; but so do the providers of IT infrastructure and manufacturers of laboratory equipment, and their input was not sought in formulating policy. Neither should publishers have been consulted. The proper approach would have been for researchers, librarians, university administrators, funders, medics, educators and businesses to have worked out what policy and what strategy would best serve them in their goal of performing, disseminating and exploiting research; and then to negotiate with publishers (as with IT service providers and lab-equipment manufacturers) to obtain the necessary services at the best prices.

7. It is because of publisher involvement in the Finch Committee that the recommendations of the Report are skewed towards the interests of that one small group at the expense of citizens. All of the flaws in the recommendations in the report are directly attributable to this.

SPECIFIC ISSUES

The Government's acceptance of the recommendations of the Finch Group Report "Accessibility, sustainability, excellence: how to expand access to research publications", including its preference for the "gold" over the "green" open access model

8. There are good and legitimate reasons to prefer Gold over Green. Most importantly, there is no possibility of confusion over which is the version of record under the Gold model. However, the Finch Report goes much further than expressing a preference for Gold, by almost entirely omitting Green from its discussion. (The word "green" appears only three times in the 140 pages of the report and one of these is a reference to the HM Treasury Green Book.)

9. Perhaps as a result of this, the Green OA provisions of the revised RCUK policy are much weaker than its Gold OA provisions. In particular, while RCUK-funded work that is published as Gold OA must use the very permissive Creative Commons Attribution licence (CC BY), whereas work published as Green OA may have restrictive non-commercial clauses inserted. The inclusion of non-commercial clauses greatly diminishes the value of work, as discussed in the next section.

10. The Finch Report also allows embargoes—ie delays in availability—when research is published as Green OA, and the RCUK policy follows this (although it shortens the delays). Allowing such delays necessarily entails delaying all the benefits of Open Access, and thereby retards the progress of research, medicine, education and industry. **There is no justification for these delays:** even if they benefit publishers by enabling them to avoid subscription cancellations, the interests of publishers must be outweighed by those of all the other stakeholders.

11. In any case, counter-intuitively there is no evidence that Green OA hurts subscription revenue at all. The JISC/European-funded PEER project⁹³, after nearly four years' work, concluded that "there is no evidence that self-archiving has harmful effects on journal viability". This is the only large-scale analysis of this issue to have been undertaken, and the only solid data we have to go on: publishers' statements about effects of Green OA on subscription revenue are guesses, not informed by data.

12. In conclusion, the full benefit of Green OA will be realised only if Green articles are licenced using CC BY and if they are made available from the date of publication rather than after an embargo. If these changes have a negative effect on publishers (which all the evidence says they will not), then that is regrettable; but it would not be a reason to delay access to, and reduce the utility of, publicly funded research.

Rights of use and re-use in relation to open access research publications, including the implications of Creative Commons 'CC-BY' licences

13. The CC BY licence embodies the original definition of the term "Open Access" by the Budapest Open Access Initiative (BOAI),⁹⁴ and has been widely adopted as the open-access licence of choice by respected OA publishers such as BioMed Central (BMC) and the Public Library of Science (PLOS). It ensures that the published works can be used by the widest spectrum of organisations—not only to facilitate further pure research, but also to be used in education and to catalyse innovation in industry

14. Recently some regrettable misunderstandings of the CC BY licence have been promulgated, notably in an anti-Finch letter from editors of 21 history journals⁹⁵. This claimed that the use of CC BY "means that commercial re-use, plagiarism, and republication of an author's work will be possible, subject to the author being "credited" (but it is not clear in what way they would be credited). We believe that this is a serious infringement of intellectual property rights and we do not want our authors to have to sign away their rights in order to publish with us." I will address these misunderstandings in turn.

15. **"commercial re-use"**: yes, by design the CC BY licence makes this possible. Contrary to the assumption of the history-journal editors, this is not a bug but a feature. The goal of the UK government policy is to benefit the UK in general, including its many commercial concerns.

⁹³ PEER Project: <http://www.peerproject.eu/>

⁹⁴ Budapest Open Access Initiative: <http://legacy.earlham.edu/~peters/fos/boaifaq.htm#openaccess>

⁹⁵ Statement on position in relation to open access: <http://www.history.ac.uk/news/2012-12-10/statement-position-relation-open-access>

16. **“plagiarism”**: it is flatly wrong to say that CC BY encourages plagiarism. Plagiarism is the use of another person’s work without acknowledgement; but the CC BY licence explicitly does require acknowledgement. It is not possible to plagiarise and be within the terms of this licence.

17. **“republishing of an author’s work”**: yes, the CC BY licence does allow this. So do the agreements currently in use by most publishers, which allow the publisher to anthologise and otherwise reuse author’s works with or without their consent. Again, this is a good thing: it enables the full value of the work to be realised, whether in an educational or commercial setting.

18. **“it is not clear in what way they would be credited”**: on the contrary, the text of the CC BY licence⁹⁶ plainly states “You must attribute the work in the manner specified by the author or licensor (but not in any way that suggests that they endorse you or your use of the work)”.

19. **“serious infringement of intellectual property rights”**: quite the reverse: the CC BY licence codifies the standard scholarly practice whereby authors’ works are used in various ways with full attribution but without further financial compensation. (After all, scholars have already been paid for their work.)

20. **“we do not want our authors to have to sign away their rights in order to publish with us”**: this statement betrays a surprising ignorance of standard journal requirements, including those of many of the journals whose editors signed the letter. These journals require the author to sign copyright over to the publisher, a far greater violation of intellectual property rights than in the open-access model.

21. The goal of the CC BY licence is to allow the full value of a work to be realised. By contrast, the non-commercial (NC) clause that the current RCUK policy allows in the case of Green OA outright prohibits use of the work in many important situations—eg in health, education and commercial enterprises. Worse still, the uncertainty introduced by a non-commercial clause has a chilling effect, stifling uses that might be allowed but which the innovator does not want to risk having to defend in court. **There is no justification for a ban on commercial use of research publications.** We fund research not only in order to *know* more, but in order to *do* more.

22. A particularly important application of Open Access articles is that massive numbers of articles can be “mined” by computer programs far more efficiently than any human can read them. Such techniques are already in use in a limited way and proving their value: for example, in discovering and synthesising new chemical formulae.⁹⁷ However, such work is greatly impeded by the difficulty of obtaining permission from publishers, and assurances that they will not claim ownership of the results. The use of a permissive licence such as CC BY disposes of such concerns and encourages innovative uses of research data that we cannot yet envisage.

23. Eric Kansa, of the University of California at Berkeley, summed up the misunderstandings and realities of fully open licences such as CC BY very efficiently: “While Open Access is not anti-commercial, it is anti-monopoly”. Monopolies lead to inefficient markets and poor economic utilisation. Permissive licences on publicly-funded work fix that.

24. In conclusion: for the benefit of the country as a whole, the government should renew its commitment to the use of the CC BY licence on all the Gold OA research that it funds, and extend this to Green OA publications as well.

The costs of article processing charges (APCs) and the implications for research funding and for the taxpayer

25. Simple calculations⁹⁸ conservatively estimate the overall cost to the worldwide academic community of an average paywalled article at £3307 (£4.96 billion total paywall revenue each year for 1.5 million articles). Naively, an APC needs only be cheaper than this to achieve a net economic improvement. In practice, APCs need to be significantly cheaper because of the difficulty of making a transition to Gold OA while subscriptions are still being paid.

26. At present, APCs for Gold OA are under strong price pressure. I will review some key data points as they were one year ago, then consider recent developments.

- Typical APCs from traditional publishers (Elsevier “sponsored article”, Springer Open Choice) are in the region of \$3000 (about £1950).
- The open-access megajournal PLOS ONE charges \$1350 (about £862).
- The broad survey of Solomon and Björk (2012) found an average Gold OA fee of \$906 (about £579).

27. In the last year, significant developments have changed the landscape. In roughly chronological order:

- The new high-impact journal eLife, sponsored by the Howard Hughes Medical Institute, the Max Planck Society and the Wellcome Trust, is initially waiving all APCs.

⁹⁶ Creative Commons Attribution 3.0 Unported: <http://creativecommons.org/licenses/by/3.0/>

⁹⁷ Peter Murray-Rust, chemistry researcher: <http://whoneedsaccess.org/2012/02/18/peter-murray-rust-chemistry-researcher/>

⁹⁸ What does it cost to publish a paywalled paper with anyone?: <http://svpow.com/2012/07/18/what-does-it-cost-to-publish-a-paywalled-paper-with-anyone/>

- The new for-profit open-access megajournal PeerJ introduces a new model where each author pays \$99 (about £63) for a lifetime membership, which covers one publication each year at no further charge. (A \$299 (~£189) lifetime membership covers unlimited publications.)
- The new Forum of Mathematics journals will waive all APCs for the first three years, after which they may charge £500 or may find a different revenue stream and retain a zero APC.
- The open-access humanities megajournal SAGE Open recently dropped its APC to \$99.

28. Other new open-access ventures continue to emerge, including the Episciences initiative to create overlay journals for arXiv, and the Open Library of Humanities.

29. As low as these prices are, a surprising finding by Stuart Shieber of Harvard is that 70% of all open-access journals charge no APC at all.⁹⁹ Others have independently found similar results.

30. In the light of all this, it is surprising that the Finch Report suggests a typical APC of “£1500-£2000”. The only explanation for this is that the bulk of the APCs in the sample that this range was calculated from was biased by many high-priced papers in traditional publishers’ journals. If this is so, then a cultural change is required in researchers. There is no reason why the majority of papers should not be published in outlets with much lower APCs. (In most cases the new journals also offer other benefits, such as unlimited colour figures and supplementary information, and the ability to include audio and video in the published work.)

31. A shift away from traditional journals to newer “born open-access” journals is likely to be accelerated if there is some pressure on researchers to overcome their innate conservatism and choose venues accordingly. Researchers may find it more convenient to keep submitting to the same journals they have used previously, publishing their work as Gold OA with the APCs covered by funders. But this convenience, while attractive in the short term, will inhibit long-term change.

32. For this reason, I would support a cap on the APCs that will be paid by funders: for example, RCUK could elect to fund the first £1000 of each APC, leaving authors who insist on using more expensive journals to top up the fee from their own grants. The resulting downward pressure on prices would ensure that a true market in Gold OA provision emerges.

33. In some quarters, such a scheme might be described as a curtailment of academic freedom. It is not. The phrase “academic freedom” refers to the freedom to choose what to study and what opinions to express—not what venues to publish the results in. A researcher who freely elects what to work on is just as free, whatever journal his paper appears in.

34. In conclusion, government funding should cover the costs of modest APCs; but there is no need for them to continue to support very expensive journals as far cheaper alternatives are now becoming available at no loss of quality.

The level of “gold” open access uptake in the rest of the world versus the UK, and the ability of UK higher education institutions to remain competitive.

35. Some critics of the Finch Report and RCUK’s updated OA policy have complained that by making British-funded research outputs Open Access, these policies will put the UK’s researchers at a competitive disadvantage with the rest of the world, because our research grants will have to bear the cost of APCs while those of others do not.

36. This complaint is true, but misleading. In the first place, all the signs are that the world as a whole is moving towards universal Open Access, so any period of Britain alone paying APCs will likely be short.

37. But more importantly, by making their work Open Access, British researchers place themselves at a huge advantage in terms of the visibility of their work. Numerous studies have now been performed on the Open-Access Citation Advantage. A good summary is found in the meta-analysis of Swan (2010).¹⁰⁰ Swan surveyed 31 studies of the OACA, showing that 27 of them found an advantage of between 45% and 600%. I analysed the final table of that report, averaging the citation advantages given for each of ten academic fields (using the midpoints of ranges when given), and found that **on average open-access articles are cited 2.76 times as often as non-open.**

38. In conclusion, having made a bold beginning, the UK government should push vigorously on with its open-access plans, yielding benefits for medicine, education and industry, and giving its academics a competitive advantage over the rest of the world.

CONCLUSIONS

39. We must remember that what is best for the country as a whole will not necessarily be best for each group that is affected. In this case, it is clear that the UK will benefit from Open Access that is immediate and uses permissive licences, whether achieved by the Gold or Green route. It is likely that publishers will (rightly)

⁹⁹ What percentage of open-access journals charge publication fees?: <http://blogs.law.harvard.edu/pamphlet/2009/05/29/what-percentage-of-open-access-journals-charge-publication-fees/>

¹⁰⁰ Swan, Alma (2010) The Open Access citation advantage: Studies and results to date. http://eprints.soton.ac.uk/268516/2/Citation_advantage_paper.pdf

or wrongly) fear some damage to their business as this change is made. But the interests of one small group—publishers—must not be allowed to compromise decisions made on behalf of all other stakeholders. In particular, the government of the UK is beholden to its citizens, not to the publishing industry. **The government must make decisions that promote the welfare of citizens** rather than decisions that suit any one business.

40. Note that publishers who find the revised Green-OA terms unacceptable will be at liberty to decline offers of manuscripts resulting from Government-funded research. (In practice, this is unlikely to happen: rather than forego the opportunity to publish publicly funded research, publishers will simply accept the loss of their government-granted monopoly on the commercial exploitation of this research.)

41. It is not the job of government to concern itself with challenges faced by the publishing community at the expense of other stakeholders. This assertion does not arise from hostility to publishers, but from a simple recognition of who the government serves.

7 February 2013

Written evidence submitted by Kathryn Toledano

With over 20 years as a senior executive scholarly publisher and six years as publishing consultant to scientific societies in the UK and US I have a comprehensive understanding of the issues. I draw your attention to the unintended consequences of accepting the Finch recommendations for Gold OA and the RCUK's funding for Gold OA.

David Willett's objective was to enable the results of scientific research to be freely available to the consumer (let's assume that = UK resident). There are two obvious strategic routes to achieve that objective:

1. THROUGH PUBLIC LIBRARIES

Free to join and many major public libraries have already arranged for their users to enter and access the collections available in their local university libraries (eg Bath University). By extending this access across the UK any resident in the UK would have free access to the published results of scholarly research that is already available in our university libraries.

IMPORTANTLY this would enable the consumer to have free access to research immediately on publication and that has been funded worldwide, and not limited to that which is only funded by RCUK. A fantastic outcome for the UK resident.

PROs

- (a) This strategy does not disrupt the independent editorial process that ensures the selection and refinement of the author's research output.
- (b) **It will not cost the UK taxpayer £100+ million of additional funding.**

2. THROUGH OPEN ACCESS (AS ADVOCATED BY FINCH)

Green Open Access currently operates OK and the infrastructure exists. Authors use their existing rights to make their own versions of their research article freely available online. Publishers usually allow authors to make the final version of their article (the one published in the journal which is the "version of record") to be made freely available by the author following an embargo period which is usually one year. Authors (the academic researcher) are responsible for posting their articles and as a result coverage can be "patchy" and incomplete. Some academics forget, can't be bothered or are lazy.

Gold Open Access is also currently available for authors with most of the good quality scholarly journals (irrespective of whether their publishers are societies, commercial or not-for-profit—all operate very similarly). Note—these are the very same journals which were recognised for their quality by the Research Assessment Exercise. Few authors currently take advantage of Gold OA in these journals—it's expensive and they can make their work available through Green OA if they wish. Most authors' needs are met by being accepted for publication in the highest quality journal possible in their field.

The impact of Finch's recommendations, the RCUK and the law of unintended consequences

Finch has recommended Gold OA and the RCUK's has mandated for all UK funded research to be available immediately via Gold OA or within six months via Green OA. Gold OA funding of £100+million has been announced for the next five years.

The unintended consequences will be:

3. On average only 6% of the articles published in UK scholarly journals is authored by UK academics. Even if every one of these articles was freely available to the UK consumer it only adds up to 6% of the world's research output. The information the UK reader may want/need may well be published in the 94%. **How is it in the best interests of the UK consumer to limit their free access to 6% of the world's research**

output? (NB—the public library strategy indicated above gives the UK consumer access to 100% of the world’s research output!)

4. Many publishers, universities and academics will tell you that £100 million of funding is not enough to cover the cost of the APCs (Gold OA article processing fees) without severely reducing the number of research articles. How is that in the best interests of the consumer? **How will universities decide how to allocate scarce funds? Who will determine which will be the lucky academics whose paper will be published?** Or will the UK government be expected to increase the funding?

5. Disruption to the independence of editorial selection. Researchers are free to submit their work (the research output) to any journal and will aim to be in the top journals with the highest impact. Scarce Gold OA funds will introduce a layer of selection within universities—a process that is likely to become **divisive and political**. How is that in the best interests of the consumer?

6. Publishers will give evidence that the Green OA six month embargo required by the RCUK is not long enough to protect the viability and sustainability of the majority of scholarly journals. The impact of the embargo is different for different subject fields and the RCUK’s mandate for six months across all subject areas is irresponsible. Publishers need to protect the cost of the added value they bring to the publication of scholarly research. **Short embargoes not only put the journals at risk, but also the corporation tax, export revenue and skilled jobs.**

7. Journals cross international borders. Most scholarly journals have an international base of authors and a worldwide readership—whether the publisher is based in the UK or overseas. Open Access is also free of all national borders. Therefore, Gold OA funding is equivalent to overseas aid—the UK taxpayer will have paid for the reader in the USA, France, Australia, China, etc to have free access to the article. In a time of austerity **why should the UK pay for people in the developed world to freely access these articles?**

8. Gold OA has already prompted the proliferation of new start-up journals offering the Gold OA route to publication. Some are unscrupulous, with little or no quality control, editorial selection or added value. They will publish as many articles as authors will pay for. It’s vanity publishing. To the uninitiated consumer, articles published by these journals look OK, but it can lead to the publication of “poor” science and lack of rigour. Will the next REA accept articles published in these journals—they don’t make the previous criteria as high quality/high impact journals, but they do offer Gold OA? **How is a reduction in quality in the best interests of the UK consumer?**

9. £100+ million of taxpayer’s money which the RCUK could, and should, put into scientific research.

SUMMARY

This is a flawed approach to the objective to enable the UK resident to have free access to published research. The alternative “public library” strategy is significantly less cost to the UK taxpayer, retains editorial freedom, protects academics from a divisive and political selection process and enables the UK resident to have free-at-point-of-use access to the very best published research worldwide.

28 January 2013

Written evidence submitted by Ubiquity Press

1. Ubiquity Press is a researcher-led press based on campus at University College London. Our mission is to achieve the widest possible dissemination of research, with the greatest recognition and impact for those who produce it (1,2).

2. Both as a publisher and as academics we are fully supportive of initiatives that make research content open access, particularly where the content is a result of research funded by taxpayers.

GOLD AND GREEN

3. Where researchers opt to publish taxpayer-funded research in traditional paywalled journals, we believe that it is absolutely right that these articles are also shared via deposition in accessible repositories.

4. Our preference however is strongly for Gold open access, because publishers add value to research content—through for example editorial services, markup, indexing, and dissemination. This is where a model that requires authors to self-archive in order to achieve open access misses the point.

5. The ability to discover and cite articles accurately is crucial to the researcher, both in terms of finding new content and receiving academic credit. We believe a model where articles are published behind a paywall and a secondary version is self-archived does not serve researchers well in this respect.

6. It is difficult to imagine an infrastructure that would ensure preprints were consistently deposited, while also ensuring that articles could be clearly cited and discovered. Even if such an infrastructure were created it would be cumbersome at best, and many readers would not benefit from the value added by the publishers.

7. Whichever route of academic publication selected by the author there is a cost to be covered. The key difference is that paywalled journals restrict value-added content to a privileged few, while open access journals make the value-added content freely available to everyone.

CREATIVE COMMONS LICENSING

8. Maximising the impact of content means not only ensuring it is available to readers, but also ensuring that it is available to be reused and repurposed. We therefore welcome the RCUK and Wellcome Trust's preference for the CC-BY license.

9. Allowing figures to be represented in new papers, content to be used in teaching, and data to be mined and reproduced in infographics are all examples of the benefits of derivations. Equally the public may benefit from commercial reuse of tax-funded content, for example in education and health. Licenses that restrict reuse in derivatives and commerce therefore weaken the potential impact of content.

10. In some circumstances, such as in data publication, we encourage authors to go beyond CC-BY by applying a CC0 licence to their work. The CC0 license makes the terms of reuse explicit, minimising legal and technical barriers for valuable research activities such as data mining. Attribution is part of academic culture and does not necessarily have to be enforced by law (3).

ARTICLE PROCESSING CHARGES

11. Under the traditional academic publishing model, authors publish for free while libraries pick up the bill via subscription agreements. This model allows publishers to obfuscate the costs of publication through complex distribution arrangements with libraries and has led to well-publicised criticism (4,5,6).

12. Article processing charges on the other hand are widely applied by open access publishers, and create an open market where the cost of publishing in a journal can be compared against the competition. We believe that making costs openly visible in this way will help to drive costs down, making academic publication more affordable and better value.

13. Research leads to progress when new knowledge is shared. It therefore seems reasonable that a small proportion of research funding is allocated to communicating research developments. Where research is not effectively communicated, funding is likely to be wasted through duplication of work. This highlights the need for research data and software to be shared too, so that efforts are not unnecessarily repeated at cost to the taxpayer.

IMPACT AND COMPETITIVENESS OF UK HIGHER EDUCATION

14. A number of studies have shown that there is a citation advantage associated with publishing in open access journals (7,8). In addition the sharing of research data has been shown to be associated with increased citations (9). On top of this open access articles have a readership beyond the research community.

15. Researchers will benefit from increased accessibility to their work by commercial organisations, policy makers, and the public. By making their work open access therefore, researchers within UK Higher Education will benefit from increased visibility and a broader impact.

7 February 2013

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Written evidence submitted by UK Computing Research Committee (UKCRC)

The UK Computing Research Committee (UKCRC), an Expert Panel of BCS The Chartered Institute for IT, the Institution of Engineering and Technology and the Council of Professors and Heads of Computing, was formed in November 2000 as a policy committee for computing research in the UK. Its members are leading computing researchers from UK academia and industry. Our evidence reflects the experience of researchers who each have an established international reputation in computing.

This response has been considered by the BCS Academy Research Committee which notes that the response represents the views of the BCS Academy. It has also been endorsed by the Council of Professors and Heads of Computing.

THE CURRENT POSITION IN COMPUTING SCIENCE

Computing Science research has a strong tradition of open access publication. For many years the typical model of publication for individuals working in academic CS research labs has been to make available, via a personal or institutional Web repository, a copy of each author's "accepted manuscript" (or some other version, normally after peer review). This makes each paper globally accessible and the costs of maintaining personal/institutional Web portals of this sort are absorbed as part of the normal baseline of research activity within a well founded laboratory. The accepted manuscript is also, typically, published in a journal or conference proceedings (in CS, major international conference proceedings are at least as important and impactful as journals). The value of this second stage of publication is not primarily dissemination (since the manuscript is on the Web anyway) but is a means of improving and endorsing the quality of the paper, through the process of independent peer review and quality control that a prestigious conference/journal provides. The cost of this second stage is met either (for conference papers) by the fees paid by conference attendees or (for journal papers) by the subscription paid by those receiving the journal. Some of our journals are produced via our learned societies (such as ACM or IEEE) and for these the cost of publishing is partly funded through membership subscriptions and partly through subscription from university libraries. Overall, the effect is that the Computing Science community has Green open access as its dominant style of publication with an element of Gold where subscriptions allow.

THE COST OF A SHIFT TO GOLD OPEN ACCESS

One might imagine that Government requirement for Gold open access across the board would be optimal for science. We disagree, for the following reasons:

The cost of transition from Green to Gold. Most of the key international journals in Computing Science are supported through (international) subscription by those buying the journal or through (international) subscription by participants at the relevant conferences or members of the relevant learned societies. These vehicles for publication will not immediately change through UK Government intervention so we can expect a lengthy transition period in which a dual system operates and we pay twice for open access (once for the international Green access and once for UK Gold). For-profit publishers will, naturally, take advantage of this to maximise their profits (eg by offering "package deals" on Gold access institutionally or nationally). On top of that, universities will also have to bear the (substantial) cost of administering a mandatory Gold scheme. The funding to close this gap seems likely to come from some combination of RCUK block grant and University contribution so, assuming the overall funding pot remains constant, that cost has to be subtracted from funding for new research.

The challenge to publishing autonomy of individual researchers. Although we would not claim that our current approach to open access publication is ideal, it does (on the whole) give a great deal of freedom for individual researchers to publish where they choose. The mechanisms currently proposed for Gold open access will cause universities to set up new processes to administer (RCUK and internal) funding for publication and (however one might hope that this does not impinge on academic freedom) it is very likely that universities will use these processes to optimise factors other than pure dissemination of research results. Some optimisations may weaken research; for example, if a university chose to suppress publication of early career research or preliminary results so as to get the "biggest bang per buck" of REF return per unit cost of Gold access or if it chose to focus on prestige general journals and reduce scientific interchange in specialist workshops that could be more productive.

Marginalisation of Green open access. Green open access has been shown to be effective for our community—indeed it is difficult to go against this trend and many traditional publishers have adapted to it. Some of the international outlets for our publications do not currently provide Gold but support (or tolerate) Green. Others are converting to a hybrid Gold model, whereby there is a subscription for the journal but also a Gold open access option for those who want to take that route. A focus on Gold in the UK will drive our researchers to take Gold routes through journals with Green routes being either additional (duplicating cost and effort) or exceptional (forcing out Green routes that are of service to the community). This situation becomes even more confusing when a paper is co-authored internationally (where the co-authors are not subject to the UK publication policy and may have different Gold/Green pressures).

UK fixed policy in an adaptive international market. Although the UK punches well above its weight in international publications, we are only a component of the global research community. That wider community

operates a mixture of Green and Gold open access, and it is unlikely to change simply as a result of unilateral UK policy. It would be more helpful in this respect for the UK to adopt a policy of pragmatic open access that rewards international societies/conferences/journals for cost-effective open access policies (either Green or Gold) and discourages “milking the system”, for example by charging twice (for adding Gold access to a publishing outlet where the community already employs Green open access) or by charging inflated prices for Gold open access for journals operating in niche sub-areas (where authors have little option of where best to publish). A UK policy that sets a specific means of open access rather than promoting a policy of open access whatever the means is open to this sort of game playing by publishers.

The elusive benefit of indexed research results. At first sight, a key advantage of Gold over Green publishing might be that the uniformity of process associated with a standard publishing structure across UK universities would allow better “knowledge management” for UK research (with relevant papers more easily discovered; results propagated, *etc*). Gold open access, however, does not by itself provide the indexing, markup or machinery to do this job better than systems operating on the open Web. On the contrary, we should take care to avoid the increasing amounts of data surrounding publications becoming locked into publishing companies, despite open access arrangements for the publications themselves.

OPEN ACCESS IN A CHANGING RESEARCH LANDSCAPE

Many in the Computing Science community voted with their feet several years ago to make their principal written work available openly on the Web. This has involved unilateral action by individual researchers combined with institutional action to set up Web repositories (eg the DBLP repository of computing research). It has also led to powerful search engines, such as CiteSeer (one of the earliest and most influential public search engines for academic publications). We are, on the whole, ahead of the game in this respect but the game is rapidly changing. Our written results are only part of the evidence base for our science; we also are beginning to make data, software tools and specifications of our experiments available on the internet (with greater promotion of open data and open source program code). The media in which scientific results are disseminated is also becoming more varied, with audio, video and virtual environments replacing/augmenting text-based narratives. Perhaps even more radically, disruptive technologies are making inroads into the familiar “peer review then publish” routine, with more researchers choosing to publish results through social media and new enterprises challenging traditional publishers through the use of social media, recommender systems, post-publication review, etc. Meanwhile, those traditional publishers are themselves adapting to the opportunities offered by new technologies and their embedding in society. In the face of such broad and radical change in the landscape, we caution against a uniform policy of Gold access and would instead encourage the Government to foster greater engagement with the many technical (and socio-technical) innovations that are enhancing access to scientific knowledge.

7 February 2013

Written evidence submitted by United Kingdom Council of Research Repositories (UKCoRR)

EXECUTIVE SUMMARY

1. UKCoRR welcomes moves towards OA and recognises that recent action taken by Government and RCUK has done a lot to establish OA as a priority for UK research. However we also feel that the pace of change being enforced by the RCUK policy and the Department of Business, Innovation and Skills (BIS) could be too rapid for researchers and institutions to contend with.

2. Use of the established and mature repository infrastructure already present in the UK to promote green OA and encouraging academic authors to retain more rights (eg licence rather than transfer copyright) would be more cost effective at this stage.

3. We strongly recommend that the Government and RCUK demand demonstrable value for money from publishers charging APCs.

4. UKCoRR strongly encourages some leniency and flexibility from the RCUK and the government as a whole, in implementing a change of this nature and scale. Regular reviews and updates will be needed to both policies and practice in response to the reactions of other stakeholders and countries.

ABOUT UKCoRR

5. The United Kingdom Council of Research Repositories (hereafter UKCoRR) is an independent membership organisation of repository managers, administrators and staff in the UK. UKCoRR’s mission is to:

- Promote repository management as a recognised and respected profession.
- Provide a forum for discussion and exchange of experience.
- Represent the views and concerns of those who work with repositories in organisational, policy and strategic development.

6 UKCoRR currently has 257 members (5 Feb 2013) which includes representatives from the majority of the UK's Higher Education institutions.

UKCoRR'S CREDENTIALS FOR COMMENTING ON THESE ISSUES

7 It is our view that the repositories staffed by our members are a vital part of the UK's research infrastructure and have a unique open access (OA) focus. Research repositories collect, curate, preserve and make available open access material using both green and gold models. Furthermore our members have experience and expertise, solidly grounded in practice, in:

- the current scholarly publishing environment;
- making publications open access;
- copyright and licensing in scholarly publications;
- advocating for open access; and
- the cultural change needed in academia for open access to research to become the norm.

8 Many repository staff are currently playing a leading role in shaping their institutions' open access policies and practices. Repository staff are at the forefront of implementing the Government's open access policy.

OVERVIEW OF UKCoRR VIEWS ON THE GOVERNMENT'S OPEN ACCESS POLICY

9 UKCoRR welcomes the Government's clear policy of making OA the norm for research publications, but we are concerned about route set out for achieving this.

IN THE FOLLOWING, WE ADDRESS THE FOUR TOPICS HIGHLIGHTED FOR THE COMMITTEE'S INQUIRY:

The Government's acceptance of the recommendations of the Finch Group Report "Accessibility, sustainability, excellence: how to expand access to research publications", including its preference for the "gold" over the "green" open access model;

10 UKCoRR and its members strongly support OA but are concerned that the Government's acceptance of the Finch Report's preference for gold over green open access means that current Government policy will not be effective in furthering the ideal of full open access to all research outputs.

11 We consider the move to a gold centric model will only bring maximum benefit as part of a coordinated international move; implemented unilaterally it will lead to a disproportionately high cost for the UK in a time of austerity and correspondingly scarce research budgets. The need to effectively disseminate research should not be allowed to impact the process of conducting that research and studies have shown¹⁰¹ that the "most affordable and cost-effective means of moving towards OA is through green OA, which can be adopted unilaterally at the funder, institutional, sectoral and national levels at relatively little cost."

12 We are concerned that the rapid pace of change in the transition period could impact on the pace of research in the country and damage the reputation of the sector. We also note that other respected parties do not share the Finch reports preference for gold. For example SPARC Europe¹⁰² and the Budapest Open Access Initiative¹⁰³ both recommend both green and gold routes to open access.

13 There is a feeling that protection of publishers' revenue has been prioritised over achieving cost effective Open Access. Deprecating green OA is a wasted opportunity, since there is a flourishing ecosystem of institutional and subject repositories that could be further exploited. This infrastructure has been built over the last decade and has had tens of millions of pounds investment from JISC and individual institutions. Gold OA is channelling scarce resource funding to the publishers in the form of APCs, money that can be ill-afforded by the sector.

14 The Government acceptance of the Finch Report's recommendations was very rapid. Whilst this would seem to suggest a very positive endorsement, there were some key areas of support in name only, but without committing resource or giving an indication of how some of the points might be taken forward. A more considered response following the period since Finch would be welcome with further proposals on supporting and promoting implementation to clarify the Government's response, in particular the value that institutional repositories could bring to supporting OA.

Rights of use and re-use in relation to open access research publications, including the implications of Creative Commons "CC-BY" licences;

15 UKCoRR applaud the aspiration for high standard of openness ("libre" OA allowing re-use rather than "gratis" OA which is free to read but not to re-use). We welcome the wider use of creative commons licences which provide clarity for both copyright holders and research users. However achieving these aspirations in

¹⁰¹ Houghton, J and Swan, A (2013) *Planting the Green Seeds for a Golden Harvest: Comments and Clarifications on "Going for Gold"* DLib, 19(1/2). <http://www.dlib.org/dlib/january13/houghton/01houghton.html>

¹⁰² <http://sparceurope.org/open-access/>

¹⁰³ <http://www.opensocietyfoundations.org/openaccess/boai-10-recommendations>

practice will require substantial change to current publishing practices. These changes will take time and “read-access” to the research, through a green model, could be seen as an important stepping stone on the route to fully “libre” OA.

16 RCUK definition of open access states that “a user must be able to ... Search for and re-use ... the content provided that any such re-use is subject to proper attribution.”¹⁰⁴ RCUK recognises that “publications may need to amend their copyright conditions if they are to meet this definition of Open Access”.¹⁰⁵

17 Many publishers offering “gold” OA options do not currently license material published this way under a CC-BY licence. RCUK’s policy of requiring CC-BY licence for Gold OA funded by RCUK block grants provides an incentive for publishers to adopt the more permissive license but only at an inflated cost for researchers and institutions. The additional costs being proposed by some publishers for the use of CC-BY potentially act as a major deterrent towards the aims of Finch, which is enhance access to publications. Whilst looking to protect their business model the publishers are potentially restricting the novel ways in which research can be published and utilised to maximise its value.

18 RCUK’s policy also demands high level of openness for green OA: to meet their requirements an author manuscript deposited in a repository must be “without restrictions on non-commercial re-use.”¹⁰⁶ Presentations from RCUK staff have suggested use of the CC-BY-NC licence for green content.¹⁰⁷ However, the usual practice of authors transferring or exclusively licensing the copyright in their work to the publisher at the stage of submission or acceptance means that authors may not be in a position to apply a CC-BY-NC licence to the version of their work deposited in a repository. Many publishing agreements that allow green “gratis” OA do not allow green “libre” OA. For example, the IEEE ask authors to attach the following copyright notice to green OA versions of their work:

“© 20xx IEEE. Personal use of this material is permitted. Permission from IEEE must be obtained for all other uses, in any current or future media, including reprinting/republishing this material for advertising or promotional purposes, creating new collective works, for resale or redistribution to servers or lists, or reuse of any copyrighted component of this work in other works”¹⁰⁸

19 This is clearly not compatible with a CC-BY-NC licence. Thus implementing the RCUK’s policy in full will require publishers to change the terms under which they allow green OA. While there is a clear financial incentive for publishers to make their gold OA option compatible with RCUK’s policy, there is less incentive for them to change their green OA terms. Greater clarity is requested from both the publishers and RCUK on the point at which the copyright transfer is effective and on the terms under which they will accept green OA.

20 In summary, RCUK’s requirement to provide libre OA from April 2013 will be difficult, perhaps even impossible, to meet. UKCoRR strongly encourages some leniency and flexibility from the RCUK and the government as a whole, in implementing a change of this nature and scale.

The costs of article processing charges (APCs) and the implications for research funding and for the taxpayer;

21 UKCoRR recommend that the Government and RCUK, particularly, demand demonstrable value for money from publishers charging APCs, if this is the route to OA they are set on using.

22 Institutions see the APCs as an additional burden on stretched research budgets. Notwithstanding what has been said about the costs of APCs being a fraction of total research funding, this is too simplistic a link, and the impact of the costs will affect different areas of research disproportionately.

23 The calculations also do not take account of the “hidden” costs of administering the APCs, which places an additional burden on institutions. As such, it is difficult to see that the aims of Finch and the RCUK policy will be achieved under the current terms proposed without further support or a change in the way the model is introduced.

24 We are concerned that APCs may be set artificially high, resulting in more taxpayer’s money being diverted to the publishing industry. Will this result in a reduction in the journal subscription charges? Evidence is growing that they will but only in proportion to the number of article processing charges (APCs) they receive¹⁰⁹. So the maximum discounts we could receive under current plans would be equivalent to the proportion of the world’s research funded by the RCUK, or put another way, a fraction of 6%. These discounts for most HEIs would also take a number of years to be realised in Library budgets given publishers’ continued reliance on “big deals” as the primary route to journal subscriptions.

¹⁰⁴ Research Councils UK Policy on Access to Research Outputs http://www.rcuk.ac.uk/documents/documents/RCUK%20_Policy_on_Access_to_Research_Outputs.pdf

¹⁰⁵ Ibid

¹⁰⁶ Ibid

¹⁰⁷ eg Mark Thorley’s Open Access Week 2012 presentation at University of Exeter <http://www.slideshare.net/OpenExeter/exeter-september2012>

¹⁰⁸ IEEE PSPB Operations Manual 8.1.9. B: http://www.ieee.org/publications_standards/publications/rights/rights_policies.html

¹⁰⁹ See Elsevier’s ‘Double Dipping Policy’ for an example.

The level of “gold” open access uptake in the rest of the world versus the UK, and the ability of UK higher education institutions to remain competitive.

25 As noted in section 3.1 above we are concerned about the UK’s unilateral move toward gold OA. The key point is clearly made by open access economics experts Houghton & Swan “If OA were adopted worldwide, the net benefits of gold OA would exceed those of green OA. However, we are not yet anywhere near having reached an OA world.... Hence, we conclude that the most affordable and cost-effective means of moving towards OA is through green OA, which can be adopted unilaterally at the funder, institutional, sectoral and national levels at relatively little cost.”¹¹⁰

26 Though there are likely to be some first mover advantages if the UK unilaterally adopts gold OA (eg increased citation rates for UK research), Houghton & Swan show the cost of this is likely to be far more expensive (possibly crippling) so to make it occur. A change to the RCUK policy to make green and gold equally acceptable seems a good way to remedy the situation in which we find ourselves.

27 Unless there is further internationalisation of gold OA, it will be difficult to manage reductions in journal subscriptions to offset APC costs, as looks to be expected. Clever monitoring of subs over time as APCs come in will no doubt provide some more granular ways of addressing this, but the longer the UK acts alone the harder it will be to justify the case for journal subscription reduction only in the country.

CONCLUDING REMARKS/RECOMMENDATIONS

28 UKCoRR welcomes moves towards OA and recognises that recent action taken by Government and RCUK has done a lot to establish OA as a priority for UK research. However we also feel that the pace of change being enforced by the RCUK policy and the Department of Business, Innovation and Skills (BIS) could be too rapid for researchers and institutions to contend with.

29 Use of the established and mature repository infrastructure already present in the UK to promote green OA and encouraging academic authors to retain more rights (eg licence rather than transfer copyright) would be more cost effective at this stage.

30 We strongly recommend that the Government and RCUK demand demonstrable value for money from publishers charging APCs.

31 We would advocate and welcome moves towards IRs and publishers cooperating towards achieving the RCUK/Government’s aims. This interface could be used to build trust and encourage the development new models of dissemination.

32 UKCoRR strongly encourages some leniency and flexibility from the RCUK and the government as a whole, in implementing a change of this nature and scale. Regular reviews and updates will be needed to both policies and practice in response to the reactions of other stakeholders and countries.

7 February 2013

Written evidence submitted by University Association for Contemporary European Studies (UACES)

1. The University Association of Contemporary European Studies (UACES) was established in 1969 and has well over 1,000 members. UACES is a part-owner of the Journal of Common Market Studies (JCMS).¹¹¹

2. This submission is to inform the Committee of the benefits to academia derived from income from publications. ie how “profit” is used to further stimulate academic output via academic associations.

3. In our last financial year,¹¹² the Journal generated an income for UACES of £208,386. This was 67% of our total income.

4. The income from the journal is used to support a variety of activities including the publication of the Journal of Contemporary European Research (JCER).¹¹³ The JCER is a true open-access journal which we established in 2005, well before the current debate on open access. The JCER does not generate any income—there are no fees for authors and no subscriptions for readers. The JCER is important because it provides an opportunity for early career researchers to get their work published in a peer-reviewed Journal. We would like to develop the Journal further, by providing opportunities for younger academics to become involved in every stage of the editorial process.

5. The JCMS also allows UACES to:

- Maintain an open access blog-hosting platform,¹¹⁴ an increasingly important tool for disseminating ideas and research-in progress.

¹¹⁰ Houghton, J and Swan, A (2013) *Planting the Green Seeds for a Golden Harvest: Comments and Clarifications on “Going for Gold”* DLib, 19(1/2). <http://www.dlib.org/dlib/january13/houghton/01houghton.html>

¹¹¹ ISSN: 0021-9886

¹¹² FYE 30/9/12, figures still subject to examination

¹¹³ ISSN 1815-347X, www.jcer.net

¹¹⁴ www.IdeasOnEurope.eu

- Provide an online database of experts.¹¹⁵
- Provide travel bursaries for post-graduate students to undertake field research.
- Run a seminar series in Brussels whereby academics can present their research-in-progress to policy-makers.
- Organise training seminars and a research conference for postgraduate students.
- Deliver an affordable annual research conference for members at which circa 300 conference papers are delivered.
- Support a variety of workshops and collaborative research networks throughout the year.

6. European Studies is an interdisciplinary subject area. Whilst this can lead to some very important collaborations, it also means that for most of our membership, UACES is their “second” association behind politics, IR, law etc. If we were to increase membership subscriptions significantly, in response to declining income from the JCMS, we would quite simply lose members. We have only been able to maintain our membership in the current economic climate by freezing membership subscriptions. In short, we are less robust than other disciplines.

7. The Journal income provides UACES with financial stability. This is critical when applying for grant funding¹¹⁶ for further projects, as it enables us to maintain an office with dedicated staff—it gives us demonstrable capacity for delivering the financial and administrative aspects of any project. Importantly, it also provides the association with continuity.

8. UACES is the UK member of a larger network, the European Community Studies Association (ECSA)¹¹⁷—there is an ECSA in every European country. In stark contrast to UACES however, these other ECSAs are largely inactive, because they do not have the financial stability which our Journal provides us with. In other words, without the JCMS, our association would not be in the position it is today and would not be able to support the range of activities for our members, some of which were mentioned above.

9. UACES supports the principle of open access; we simply ask the Committee to recognise that implementation may lead to unintended negative consequences and less opportunities for early career academics.

7 February 2013

Written evidence submitted by University College London (UCL)

INTRODUCTION

1.1 UCL is a leading research-intensive UK university, with c4,500 researchers across the spectrum of academic disciplines producing more than 9,000 research publications annually.

1.2 We are committed to sharing our expertise, knowledge, discovery, insight and analysis in order to improve the UK’s economic, social, intellectual and cultural circumstances, and do so primarily through scholarly outputs, education, public engagement, translational research, commercial and social enterprise activity, and engagement with public policy and professional practice.

1.3 UCL has been a leader in advocating and implementing open access (OA), which it holds to be both right in principle and also a key mechanism for the effective dissemination of research outputs critical to achieving public benefit. Improved access to leading-edge research will stimulate business innovation and economic growth, as well as academic research productivity itself. It will also greatly benefit the NHS and the health of the nation, by facilitating the rapid translation of research findings into clinical practice and outcomes. UCL has been a pioneer in UK higher education in terms of developing institutional OA policy and establishing an institutional OA repository, UCL Discovery.¹¹⁸

1.4 We continue to engage with the Department for Business, Skills and Innovation and the Research Councils UK (RCUK) in order to develop a sustainable model of OA—sustainable, that is, for the producers, distributors and consumers of knowledge.

1.5 However, we are concerned that the model proposed by the Finch Report and the Government’s OA policy, and its implementation as described by RCUK, falls well short of being sustainable. We fear that unilateral implementation of Gold OA is likely to inhibit the UK higher education sector’s capacity to make world-leading discoveries, place unreasonable financial or administrative burdens on the sector, and disadvantage the UK economy’s competitiveness in the global market.

¹¹⁵ www.ExpertOnEurope.com

¹¹⁶ E.g. from the Lifelong Learning Programme of the EC Education, Audiovisual and Culture Executive Agency (EACEA) <http://eacea.ec.europa.eu/llp/>

¹¹⁷ www.uic.es/en/ecsa-members

¹¹⁸ UCL Discovery (www.ucl.ac.uk/discovery) is the largest institutional repository in the UK. With, as yet, only a small fraction of our outputs available, we have recorded over 500,000 (and growing) downloads a year.

1.6 We are, therefore, most grateful for the attention being paid to this issue by the Committee and for the opportunity to contribute to its deliberations. We would be pleased to provide oral evidence to the Committee.

RUSSELL GROUP EVIDENCE

2.1 Along with other research-intensive universities, UCL's general position on OA is well represented by the Russell Group's evidence to this Committee. We endorse the Russell Group's submission, including that:

- Green OA is a valid, simple and cost-effective means to increase OA and, as recommended in the Finch Report, it should be accepted as such and supported financially.
- Green OA with reasonable embargo periods is an important option, particularly for the arts, humanities and social sciences.
- the requirement of a CC-BY licence means that the costs of OA are likely to be even higher than those modelled by the Finch Report; this licence requirement should be widened to include other non-commercial licences.
- there is considerable risk that the UK will end up “paying twice” for research publications: via APCs (to publish in Gold OA-compliant journals) and via subscriptions (to access non-OA journals).
- there is a significant funding gap, arising from factors including: the “new” money available to fund the implementation of OA (according to RCUK's own calculations) is insufficient to fund the mandated level of OA compliance; university estimates indicate that RCUK has underestimated research publication volumes; research-intensive universities will aim to publish in the most highly regarded journals, which (in the absence of any mechanisms brought to bear on APC levels) will tend to charge higher APCs.
- the consequence of the above funding gap will be a reduction in funding available for research activity, doctoral training and knowledge transfer, and therefore a reduction in the public benefit accruing from these activities.
- in the absence of sufficient funding, universities should be allowed greater flexibility in how they fund the additional managerial and administrative costs.
- the OA policy does not address various complexities, including the impracticality of applying it to all research funded “wholly or in part” by RCUK.
- unilateral implementation of Gold OA will give free access to the UK's academic research output to overseas business competitors; as an alternative, a national licence would provide UK businesses with a degree of competitive advantage.
- the OA policy may create unintended consequences—for example in publishing strategies among academics or in the perceived attractiveness of the UK to overseas researchers—that undermine competitiveness and reputation of UK higher education.

PARTICULAR ISSUES

3.1 It is unclear that any mechanisms or market pressure will be brought to bear on article processing charges (APCs) journals. It seems that universities will either be required to pay APCs at whatever rate high-prestige journals choose (and regardless of the actual cost to publishers) or have to decide not to publish in those key journals. If the former, the limited funding for APCs will run out well before compliance levels have been met; if the latter, the standing of UK research will suffer relative to its international competitors.

3.2 We are in a time of constrained resources and falling investment in research: in this parliament's first year, spending on science by government departments fell by 7.6% adjusted for inflation. Numerous efficiency gains have already been made. To assume that there are easily identifiable resources that can be used to cover the gap between government funding and the true cost of OA is reckless. Diverting further funding away from research and into the profits of publishers will undermine the UK's research base.

3.3 Green OA has a critical role to play, particularly during the five-year transition period, and should be supported as a valid option. Extensive economic modelling in a JISC-funded report¹¹⁹ shows that Green OA is the cheapest option for universities (in the absence of global Gold OA) and that the best way to transition from a subscription model to OA is via Green, not Gold. Green OA is also the standard route chosen or mandated by: the EU in its current funding programmes;¹²⁰ the Australian Research Council;¹²¹ and the US National Institutes of Health.¹²²

3.4 The Government's OA policy is intended to open up research findings and thus “foster innovation, drive growth and open up new area of academic discovery.”¹²³ UCL doubts that the model as proposed—effective

¹¹⁹ Going for Gold? The costs and benefits of Gold Open Access for UK research institutions: further economic modelling. Report to the UK Open Access Implementation Group—<http://repository.jisc.ac.uk/610/>

¹²⁰ http://ec.europa.eu/research/science-society/document_library/pdf_06/background-paper-open-access-october-2012_en.pdf

¹²¹ http://www.arc.gov.au/applicants/open_access.htm

¹²² <http://publicaccess.nih.gov/>

¹²³ <http://news.bis.gov.uk/Press-Releases/David-Willetts-comments-on-the-Finch-Group-report-on-expanding-access-to-published-research-findings-67b77.aspx>

unilateral implementation of Gold OA—would really enhance the UK’s competitiveness. Not only will the costs largely be met from existing RCUK and university budgets, which are already under significant pressure, but such unilateral implementation would make all UK-funded research globally available, with no requirement for the rest of the world to reciprocate. Unilateral Gold OA will increase access outside the UK to the 6% of articles written by UK academics, while UK researchers and research-users would still have to pay to access the rest of the world’s outputs. Certainly the UK should provide global leadership in the dissemination of research and in championing a knowledge-led economy, but not at the cost of its own competitiveness.

3.5 National licensing, however, would increase access inside the UK to 100% of research articles from around the world. National licensing is clearly the more beneficial option for the UK; it offers a more effective use of the public purse, greater potential influence in negotiation with publishers, increased access to and dissemination of research outputs, and greater access to a wealth of additional knowledge for research users in all UK sectors. Indicative modelling suggests that whilst Gold OA would cost the UK £67.1 million,¹²⁴ national licensing would cost approximately £14 million.¹²⁵

3.6 In conclusion, Green OA, coupled with a national licensing arrangement, would achieve the objectives set out in the Finch Report, whilst minimizing the costs and associated risks.

We are grateful for the opportunity to provide a submission to the Committee’s inquiry, hope that our comments are both informative and useful for the Committee’s discussion, and would be pleased to address any queries that its members may have.

Professor David Price
UCL Vice-Provost (Research)

7 February 2013

Written evidence submitted by University Council for Modern Languages

I write as Vice-Chair for Research of the University Council for Modern Languages [MFL]. UCML was established in 1993 and is the overarching national organisation which represents the interests of modern languages, linguistics and cultural & area studies in higher education throughout the United Kingdom, and works with corresponding bodies in other countries. Primarily a forum for collaboration and discussion within and beyond its membership, it brings together Subject Associations, departments and individual researchers in the field.

Our concerns in relation to Open Access are those of researchers both producing and using research across the wide range of academic domains that MFL comprises, mainly but not only in the humanities. Our research is often highly interdisciplinary, always focusing on and/or deploying languages and cultures other than English. Together with our constituent members representing other Subject Associations in the field and with similar organisations in allied fields, we are at the forefront of the current debates about Open Access in the wake of the Finch report: at our recent Plenary meeting, held on 18 January 2013, we ran a panel discussion of the key issues. The submission that follows summarises our main concerns.

1. We warmly welcome the principle of Open Access for the research of UK scholars in all fields. This is in line with changes already under way in other countries, not least the EC in its intention to ensure all Horizon 2020 research is available under OA. However we believe that the Finch report, despite its aim ‘both to accelerate the transition and also to sustain what is valuable in a complex ecology with many different agents and stakeholders’, has been accepted too hastily, without an adequate recognition of the many likely problems.

2. The case is not made, in our view, for preferring the gold model over the green. It is much more costly and distribution of those costs also carries risks:

- (a) Researchers from non-Russell-group universities (among whom we count the majority of our members), researchers in part-time posts or who are not yet in post, yet are planning their careers in light of future REF entry, will be disadvantaged by the envisaged system of HEI-supported APCs;
- (b) HEI distribution also leaves wide open the method of allocation: who would make the selection, and at what level: academics or managers? how would priorities be decided between types of researchers, different career-levels and FTE levels, or even between departments or fields? Modern languages has been recognised as a vulnerable subject in the UK, for reasons UCML has done much to analyse, so it has a particular concern about the reliability of HEI support.

3. Copyright issues have also been insufficiently debated, in our view. CC-BY is far from guaranteeing protection for authors from future re-use of their work.

¹²⁴ On the basis of 38,853 papers at £1,727 each

¹²⁵ On the basis of higher education contributing £6–12m, the NHS £1–2m and costs for extensions to central government being minimal, with SME access via university libraries on cost-recovery basis and onsite access in public libraries

4. Some significant differences between the sciences on the one hand and the arts, humanities and social sciences [AHSS] on the other, have still not been sufficiently understood, despite the preponderance of academics working in this area:

- (a) AHSS journal articles are, on average, about one-third longer than those in the sciences: this will increase APCs and the time needed for peer-review etc.
- (b) In relation to this difference, we are also concerned at the small embargo period proposed for the AHSS: 12 months instead of the six months for the sciences is helpful but still unrealistic: it does little to reflect the “half-life” of research in these areas, which is often a matter of years or decades.
- (c) Finally, and most importantly, humanities scholars still publish far more of their research in the form of books—either as monographs or as essays in collected volumes. Though OAPEN-UK is doing some very useful work in scoping this area, it is barely mentioned in the Finch report. Leaving this until an unspecified future stage leaves many researchers in limbo and uncertain where and how to target their research. The research of arts scholars and many humanities scholars in fields allied to the arts or media also use non-textual material of all kinds and this, similarly, has not been discussed at all.

5. As modern linguists, we publish our work not only in English and not only in Anglophone outlets. The lack of clarity on international comparisons affects us especially acutely. We are also very concerned that high-prestige journals or publishers in other parts of the world may disadvantage UK researchers because of proposed over-rigid conditions of publication, and that this would increase the isolation of work whose key value is its position within international communication, collaboration and comparison.

6. The last point we wish to make does not affect UCML directly but is vital to many of the Subject Associations in our field and who are our members. Subject Associations which publish journals or series generally rely on income from the latter to fund their many other valuable networking activities—not least, the support of postgraduates and early-career researchers and the dissemination of their particular field—and with the high costs of gold OA many of these publications risk going to the wall, along with the Associations and even the subject areas themselves. Others will doubtless offer you more detailed specific arguments, but we wish to stress our support for their case.

To conclude:

Open Access is an excellent principle which should assure greater dissemination of academic research beyond the reach of our students and colleagues and we view it as an altogether positive development. Wholly new ways of thinking about communicating ideas and material should follow, not least changing the role of the forbidding gatekeeper into something more like a friendly guide. But we are anxious—as we know you are—to see it introduced with care and consideration for the health of the community of researchers as well as their readers.

6 February 2013

Written evidence submitted by the University of Hertfordshire

EXECUTIVE SUMMARY

The University welcomes the Government’s commitment to driving forward changed business models for scholarly dissemination in the modern digital world and believes this is vital for improving the current inadequate levels of access to research outputs to sustain research of the highest calibre and maximise the benefits for all of investment in research.

The University urges the Inquiry to take account of 5 specific practical considerations:

1. The promotion of “gold” open access must not undermine the continuing importance of “green” open access.
2. Embargo periods should be minimised and phased out.
3. The transition to a “gold” model with APCs needs to be funded.
4. Common, easily understood and widely recognised licensing arrangements are required.
5. The publication criteria for assessing research excellence need to be reformed.

SUBMISSION

- (i) The University of Hertfordshire (UH) conducts world leading research across a number of disciplines, including Astronomy, Physics, Computer Science, Social Robotics, History, Nursing and Midwifery, Engineering, English, and Art and Design. External funding for research projects comes from a range of different funders, such as the Research Councils, the National Institute for Health Research and the European Union. The University was ranked 58 out of 163 UK Higher Education institutions, the highest of all post-1992 universities, as a result of the Research Assessment Exercise

2008. Over 85% of the University's submitted research was judged to be of international quality in terms of originality, significance and rigour.

- (ii) In promoting our research and disseminating its wider benefits and impact, the University is committed to making our research outputs publicly available, including through international subject repositories (such as arXiv—<http://uk.arxiv.org/>) and our own extensive institutional Research Archive repository (<https://uhra.herts.ac.uk/dspace/>). The University has mandated deposition in the UH Research Archive and to date this is populated with over 8,000 research publications freely available worldwide.
- (iii) The University welcomes the Government's commitment to driving forward changed business models for scholarly dissemination in the modern digital world and believes this is vital to improve the current inadequate levels of access to research outputs (as provided by the existing academic publishing model) to sustain research of the highest calibre and maximise the benefits for all of investment in research.
- (iv) We would urge the Inquiry to consider and address the following five specific key points:

1. *Promotion of "gold" open access must not undermine the continuing importance of "green" open access*

1.1 The main principle of open access of expanding access to research outputs could be severely compromised if the debate becomes solely one of "gold" or "green" rather than support for the growth of multiple models. A single model will not deliver the improved access required given the diverse range and types of research outputs across subject disciplines, which includes not only journal articles but also books, audio visual materials, datasets and inter-active media.

1.2 Similarly, the advances already achieved in expanding access and collaboration through new models of practice in some discipline areas must not be undermined by a new focus on a single "gold" model. For example Physicists at Hertfordshire are particularly concerned about potential impact of the current emphasis on "gold" to the continued success of their established international "green" open access through arXiv.

2. *Embargo periods should be minimised and phased out*

2.1 We would further suggest that not only would any extension or increase in embargo periods for "green" open access be totally counter-productive for expanding open access but also that embargo periods become irrelevant in the context of a "gold" model. Publishers currently specify embargo periods to protect continued demand and their journal subscription income from those who need access to the most recent research. In the "gold" model, article processing charges (APCs) provide the publisher's income rather than customer subscription payments, and the published open access journal becomes freely available, so this market protection ceases to be relevant.

3. *The transition to a "gold" model with APCs needs to be funded*

3.1 During any transition from the current academic publishing model to a "gold" model, APCs will need to be funded in advance of any institutional benefit from any commensurate reduction in journal subscription charges. Indeed the time lag could be considerable. Hertfordshire is already having to try and fund increasing numbers of APCs as the market reacts to the Government's acceptance of the recommendations of the Finch Group Report. But there is no rationale at present for any correlation between increasing APC costs and reducing journal subscription costs for university libraries. The choice of publication vehicle relates to the nature of the research carried out, the type of output and the dissemination sought, whereas university journal collections are determined by needs of the institution's whole range of work, not just its research activities.

3.2 An initial comparison at Hertfordshire shows that for a sample of 1223 journal articles published from across all our research disciplines in 2010 & 2011, 789 (64%) were published in 590 different journal titles subscribed to by the university library and 434 in journals not held in the university library. The 590 journal titles represent 2% of the total number of journals held by the library. The university budget for journal subscriptions is currently approx £1.6 million per annum. So for example if the university were to need to fund 500 APCs pa @ the current average of £1,500 each (a total of £750,000 per annum), then to break even the cost of journal subscriptions to the university would need to reduce by just over 50%.

3.3 This correlation is highly unlikely to happen in the short to medium term or in a pattern that allows year on year "balancing of the books". Elsevier, for example, have made it clear that in their global market context, UK APCs would represent only a very small percentage and therefore have very little impact on the subscription model and prices that would continue to apply globally including for UK access to the rest of the world's output.

4. *Common easily understood and widely recognised licensing arrangements are required that take account of the wide variety of different types of research output*

4.1 We note that the Committee intends to consider "rights of use and re-use to open access research publications, including the implications of Creative Commons "CC-BY" licences. We would support the use

of the Creative Commons licensing model in principle as this would provide an internationally established and recognised basis for licensing IP for publication under both “gold” and “green” open access routes.

4.2 However, we would strongly recommend that the Committee also recognises the need for use of different CC-BY versions for different types of research output. For example for an animation or film CC BY-NC-ND may be most appropriate if the integrity of the whole is paramount; whereas CC BY-NC-SA may be more appropriate for a set of photographic images that could form the basis for remixing and building on by others to create a new or enhanced work for sharing under the same licence terms.

4.3 Where application of a Creative Commons licence may not be appropriate, such as for materials that are commercially sensitive or contain confidential information, then we would propose that a UK version of the Australian Governments Open Access and Licensing Framework (AusGOAL)—Restrictive Licence should be developed, perhaps as an extension of the current Open Government Licence.

5. The publication criteria for assessing research excellence need to be reformed

5.1 Finally, we would urge the Inquiry to consider the need to review and reform measures and values for assessing research excellence that are predicated on the existing academic publishing model as a result of the Government’s Open Access Policy. This should include reviewing and updating the criteria relating to publication in high impact journals.

6 February 2013

Written evidence submitted by the University of Leeds

1. The University of Leeds is a member of the Russell Group of research intensive universities. Our research income in 2011–12 was £120 million. We are in the top 100 of the Times Higher Education World Reputation Rankings for 2012, coming ninth in the UK. We are actively and extensively involved in knowledge transfer. Since 1995 the University of Leeds has produced 101 “spin-out” companies, the second largest number in the higher education sector in the UK. We currently have 44 active spin-out companies.

2. We have an established commitment to maximising the impact of our research. We support very strongly the principle that publicly funded research should be freely accessible to all. We therefore endorse the Coalition Government’s support for “open access” scholarly publishing.

3. We do not endorse the RCUK’s emphasis on the gold open access system where the author pays the publisher and the article is free over the internet to readers. Researchers at the University of Leeds publish several thousand articles each year. Even assuming modest “article processing charges” (APCs) the cost could be many millions. We believe that funds for APCs could be better invested in the process of research. Unless funding the process of research is prioritized the UK’s preeminent position in global research will be threatened.

4. We acknowledge that funding is being made available by RCUK in the form of a block grant. However this will support only 80% of the costs and universities will have to find the matching 20%. Reporting and auditing this 80:20 split will involve complex administrative procedures resulting again in further financial burdens on universities.

5. We are concerned that there will be insufficient funding to support gold open access for RCUK funded research and that therefore researchers may lose the ability to submit and publish in the journal of their choice. There may have to be rationing of APCs thereby reducing the number of publications produced.

6. Much research in the University of Leeds is not funded by RCUK and will not therefore be eligible to draw from the publications block grant for the payment of APCs. This could create a two-tier system directing RCUK funded research down the gold open access publishing route while other researchers are restricted to publishing in subscription-based journals.

7. The emphasis on gold open access is out of step with policies promoted by other funding agencies including the US National Institutes of Health, European Union and Australia, which allow a stronger role for “green” open access. Although UK universities will therefore be paying to make their research accessible to the global community while much of that community’s research remains behind publisher subscriptions during embargo periods. The global academic “playing field” is no longer level and UK universities will be disadvantaged.

8. Publishers are responding by offering a variety of options to researchers including APCs to make articles already published open access retrospectively, offering open access as an option within subscription journals, pre-payment of APCs, membership etc. We are concerned that without careful monitoring systems in place these complex business models could result in publishers failing to reduce traditional subscriptions as their revenues from APCs increase. We would welcome efforts by RCUK to control any increases in APCs particularly if publishers argue to increase because of the requirement from RCUK for the CC-BY licence.

9. The University of Leeds believes that “green” open access publishing should be given more prominence in RCUK policies. Many UK universities have invested considerable resources over the past decade in the

development of institutional repositories. We successfully operate a shared service, White Rose Research Online with our partners, the University of Sheffield and the University of York. Where institutional mandates for full-text deposit are in operation, evidence shows that compliance with green open access requirements can exceed 70% of research output. The UK has led the way in green open access.

10. We are also concerned that unexpected consequences may result from the speed at which such a significant change to the business model for scholarly publishing is being introduced. Journals produced by learned societies are valued highly by the academic community; they are often highly cost effective; they deliver value back to the higher education community through the societies themselves. Short embargo periods could have a significant impact on the customer base of certain journals which if that affected the return to the society could impact adversely on the academic community as a whole.

*Dr Stella Butler
University Librarian
Brotherton Library*

1 February 2013

Written evidence submitted by the Wellcome Trust

KEY POINTS

- We believe that making research publications that arise from public and charitable funding available in open access form is vital to maximising the societal and economic benefit that flows from this investment.
- We strongly support the leadership role adopted by the UK Government and Research Councils UK in setting a clear policy direction in support of open access. We also fully support the strengthened RCUK open access policy published in July 2012—including:
 - support for gold (author-pays) open access as the preferred model—as this route ensures papers are available immediately on publication and that the costs in the system are transparent;
 - the requirement for a Creative Commons Attribution (CC-BY) Licence to be used where Research Council funds are used to meet a gold open access fee; and
 - the maximum six-month embargo period where a green (self-archiving) approach is used.
- We believe strongly that the cost of publication should be viewed as an integral part of the cost of funding research, and hence also strongly support the provision by RCUK of funding to cover open access fees via institutional block grants.
- We accept that the transition to open access raises some challenges and uncertainties, including how quickly other countries will move to adopt gold open access. We are committed to working with other key stakeholders—including researchers, universities, funders, learned societies and publishers—to address these issues. However, it is our firm belief that the benefits to the UK of supporting open access will more than justify any short term costs.

INTRODUCTION

1. The Wellcome Trust is pleased to respond to the Business, Innovation and Skills Committee inquiry into open access. As a global charitable foundation dedicated to achieving extraordinary improvements in human and animal health, we are committed to ensuring that the outputs of the research we fund—including both research publications and data—can be widely accessed and used in a manner that maximises the resulting benefits to society.

2. In support of this objective, the Wellcome Trust has had an open access policy since 2005 which requires that all research papers that have been accepted for publication in a peer-reviewed journal, and are supported in whole or in part by Wellcome Trust funding, be made freely available through the PubMed Central (PMC) and Europe PubMed Central (Europe PMC) repositories as soon as possible and in any event within six months of the journal publisher's official date of final publication.

3. The Trust also provides grant-holders with additional funding, through their institutions, to cover open access publication charges. In such cases, the publisher is required to deposit the published version of the articles directly into PMC, where it must be made available at the time of publication.

4. In June 2012, we strengthened our open access policy and introduced specific sanctions for Trust-funded researchers who fail to comply. We also announced that from April 2013, we will require that, where our funds are used to meet open access costs, the article must be licenced using the Creative Commons Attribution (CC-BY) licence, to allow full re-use (subject only to proper attribution). Research Councils UK (RCUK) included an identical requirement for CC-BY in its revised open access policy, and we have been working in partnership with RCUK on implementation as discussed below.

5. The Trust manages the Europe PubMed Central open access repository (<http://europepmc.org>), working with 18 other partner funders—including the Medical Research Council (MRC), the Biotechnology and Biological Sciences Research Council (BBSRC), the National Institute of Health Research (NIHR) and the European Research Council (ERC). Europe PubMed Central provides free access to over 2.5 million full-text peer-reviewed research papers and around 25 million abstracts.

6. More recently, the Trust has worked in partnership with the Howard Hughes Medical Institute (HHMI) and the Max Planck Society (MPS) to establish the new open access journal, eLife (<http://elifesciences.org>). The eLife journal is a platform for extending the reach and influence of new discoveries and to showcase new approaches to the presentation, use, and assessment of research.

7. The Trust contributes actively to policy discussions on open access—working with other stakeholders, including other funders, universities, learned societies and publishers. This includes participating in key discussion forums, such as the UK Open Access Implementation Group, and contributing to and convening meetings and events.

THE GOVERNMENT'S SUPPORT FOR OPEN ACCESS PUBLISHING

8. We strongly support the commitment by the Government and the Research Councils to ensure open access to the published outputs of publicly-funded research. We were delighted that the Government accepted the key recommendations of the Finch review in setting a clear policy direction toward supporting open access via the gold (author-pays) mechanism. A clear policy consensus is building both in Europe and around the world, that research publications that have been supported by the taxpayer should be openly and freely accessible at the point of use. The UK has adopted a strong leadership position in supporting this fundamental principle.

9. The Wellcome Trust has always recognised that the services provided by publishers (in terms of—for example—managing peer review, and ensuring the validity and editorial quality of published manuscripts) are critical to the research enterprise. Publication has a cost, and this cost needs to be met. The Trust considers that the cost of publication should be viewed as an integral part of the cost of funding research. From our perspective it makes no sense to fund research if the dissemination of that research remains unfunded.

10. We therefore support fully the new Research Councils UK (RCUK) open access policy—including its commitment to provide funding to universities via institutional block grants to meet the costs of gold open access APCs. The Wellcome Trust has provided open access funds to institutions using a similar model since our policy was introduced. We believe it provides the most effective and flexible mechanism to ensure that researchers and institutions can access the funds required for publication—particularly given that many of the published outputs may not emerge until after the funding period for a particular grant has come to an end.

11. We also believe that the RCUK policy strikes an appropriate balance in stating a clear preference for gold open access, but allowing articles to be made available via the ‘green’ (self-archiving) route where a gold option is not available. We likewise share a strong preference for gold open access because it ensures that the research is made freely available for access and re-use immediately on publication and that the costs in the system are transparent. We also believe it provides the only sustainable model in the long-term. However, we accept that some publishers are not ready to introduce an author-pays option¹²⁶ at this stage, and thus our policy allows articles made available under the “green” model to be embargoed for a maximum of six months. The Research Councils have adopted an identical policy (albeit with a permissible embargo of 12 months for research funded by AHRC and ESRC for a transitional period).

12. We are aware that many publishers and societies have argued that embargo periods of this length run the risk of damaging subscriptions and thus their viability. But the available evidence does not back up these claims. Indeed, the European Commission’s PEER project (<http://www.peerproject.eu/>) which set out to measure whether “green” self-archiving is harmful to subscriptions, did not support these fears. This large-scale project—which involved publishers, repositories and researchers and the deposition of over 53,000 manuscripts—concluded that “there is no evidence that self-archiving has harmful effects on journal viability”.¹²⁷

13. As a major funder of research in the medical humanities, we are aware that concerns over limiting embargo periods to a year or less are particularly acute in the humanities and social sciences. However, in the context of our own funding, six months is the absolute maximum we are prepared to permit research findings to be locked behind subscription paywalls. Given that the Research Councils have set a clear preference¹²⁸ for their research to be published under a gold author-pays model, (and are providing funding to meet these charges), the maximum permissible embargo period for RCUK-funded papers that go via the “green” model, seems to us to be fair and reasonable.

14. It will be very important for RCUK to actively monitor compliance with its new policy, so it can understand and respond to any barriers to uptake. In doing so, we would urge RCUK to spell out the consequences to its funded researchers and institutions for non-compliance. As noted above, the Wellcome

¹²⁶ When an APC is paid, articles must be made freely available at the time of publication. No embargo is permissible when an APC is levied.

¹²⁷ See http://www.peerproject.eu/fileadmin/media/presentations/PEER-Executive_Partners_Statements_29_May_2012.pdf Slide 11

¹²⁸ See: <http://blogs.rcuk.ac.uk/2012/10/24/rcuk-open-access-policy-our-preference-for-gold/>

Trust strengthened its sanctions last year—making it clear that funding would be withheld if research was not made available through Europe PMC in line with the policy. Although it is too soon to determine the impact that this policy change has had, the indications are that we are beginning to see an increase in compliance.

THE COSTS OF ARTICLE PROCESSING CHARGES AND THEIR IMPLICATIONS

Costs to funders

15. Supporting open access article processing charges (APCs) obviously incurs additional costs for the research funder, which will have knock-on implications for the volume of research they are able to support. However, whilst these costs are not insignificant, the evidence suggests they represent a relatively small proportion of a funder's overall research spend.

16. The analysis we have done estimates that if *all* research funded by the Trust was routed through an author-pays model and we picked up 100% of these costs (even though in reality most of the research we fund is part funded by another research funder), the annual cost to the Trust would be somewhere between 1% and 1.5% of our total research spend. Recent data on gold open access costs from the University of Edinburgh supports this analysis.¹²⁹ In the context of our own funding, we believe very strongly that the benefits flowing from open access more than justify this level of additional cost.

Costs to the higher education sector

17. In terms of the overall cost to the higher education sector, the Finch report estimated that the transition to open access may require additional funding of between £50 million and £60 million per year. However, while it is important to acknowledge that there are likely to be additional costs, whether they will be this high in practice is far from certain. In order to minimise them as far as possible, it will be essential for institutions and funders to combine their negotiating power to ensure that as a greater volume of articles are published via the author-pays route, the amount paid in subscription fees by UK institutions is reduced. Given their combined purchasing power, UK institutions should be in a strong position to work with publishers to secure differential pricing models that achieve this objective.

18. There have been associated concerns that APCs charged by journals will rise in an unchecked manner. Evidence to-date, however, shows that the average APC charged to Trust funded researchers has remained steady over the past three years. Moreover, we believe that the continued emergence of innovative new players—such as eLife and PeerJ, coupled with the rise of the PLOS ONE-type journals (eg *BMJ Open*, *mBio*, *Cell Reports*, *Scientific Reports*, *Open Biology* and so forth)—will continue to exert downward market pressure on APCs.

19. We would also stress that one of the core fundamental benefits of the move to gold open access publishing will be to ensure a far greater level of overall transparency on the costs of publication than exists under current subscription models. This will help to ensure that publishers come under pressure to justify the APC they charge in light of the service they provide.

Administrative burden on universities

20. The UK policy to support open access has also created concerns that universities, and indeed some publishers, are not adequately equipped to manage the administrative burden associated with increased volumes of gold open access payments. JISC and the Wellcome Trust commissioned research last year on behalf of the Open Access Implementation Group (OAIG) to examine these issues and the possible role of intermediary organisations in helping to address them.

21. The report¹³⁰ identified the key elements needed to create an efficient and sustainable market and the possible value-added services that intermediaries could provide. It also highlighted a clear view among stakeholders that work is required to develop and implement standards to facilitate more effective flows between authors, publishers, universities and funders of information relating to APCs. The OAIG will progress discussions with these key stakeholders as a key priority for 2013.

RIGHTS OF USE AND RE-USE AND THE IMPLICATIONS OF THE CC-BY LICENCE

22. As noted above, when we strengthened our open access policy last year, the Wellcome Trust introduced the same provision as RCUK that, where our funds are used to meet a gold open access charge, articles must be available under a the Creative Commons Attribution (CC-BY) licence. We are working closely with RCUK to engage key stakeholders on this shared requirement, which will come into force in April 2013.

23. Specifically, the Trust and RCUK wrote jointly to 53 publishers, who are responsible for publishing around 80% of our funded research, and have held follow-up meetings with several to discuss implementation

¹²⁹ See Andrew, T. Gold open access: counting the costs (*Ariadne* 2012; www.ariadne.ac.uk/issue70/andrew). This shows that the average APC levied for Trust-funded research at the University of Edinburgh is £1741. As the Trust is associated with around 5000 research articles a year, this means that if every article was published under the author-pays model, the total cost to the Trust would be £8.7 million. As the Trust annual research spend is around £746 million, the cost of meeting all APC fees would equate to a spend of 1.17% of our research budget.

¹³⁰ [http://repository.jisc.ac.uk/4949/1/Gold_OA_intermediary_final_report_\(2\).pdf](http://repository.jisc.ac.uk/4949/1/Gold_OA_intermediary_final_report_(2).pdf)

of the new policy. These discussions are progressing well and we are pleased that several publishers have already responded positively—for example, see recent press releases from Nature Publishing Group¹³¹ and Wiley.¹³²

24. Our move to require the CC-BY licence flows from our firm belief that the full research and economic benefit of published research will only be realised when there are no restrictions on access to, and re-use of, this information. For example, it enables such content to be used in the context of innovative value-added applications—such as text mining—which can uncover new associations and discoveries from across the body of published literature. From a funder perspective, the CC-BY licence achieves this aim, and has emerged as the standard licence for open access publishing.

25. Two major types of concern have been expressed regarding this requirement—both of which we believe to be flawed. The first is that authors will lose control over how their articles are re-used. It is indeed true that, under this licence, research outputs can be re-used (eg to create a translation, be included in a new anthology etc.) without seeking the author’s permission. However, at all times the new work must attribute the original article which the derivative is based on. Moreover, the CC-BY licence *does* protect authors against having, for example, poor translations done or against having their articles reprinted in anthologies where the context might be offensive, through the author’s moral rights, which give authors the right to be correctly attributed and to object to derogatory treatment of the work.

26. The second concern is that it will be more difficult to secure permission from third parties to include copyrighted material in a CC-BY article. Existing open access publishers—such as PLOS, Hindawi and BioMed Central—have between them published over 200,000 CC-BY licensed articles, many of which contain third-party content. Their experience suggests that this is not a major barrier, and can be readily managed by applying a different licence to third-party content.¹³³

LEVEL OF GOLD OPEN ACCESS UPTAKE IN THE REST OF THE WORLD AND THE COMPETITIVENESS OF UK HIGHER EDUCATION INSTITUTIONS

27. Research published by Laasko and Bjork¹³⁴ shows that the number of articles published under a gold APC model has grown from less than 800 articles in the year 2000 to over 136,000 in 2011. The same research also shows that of the 1.66 million articles indexed by Scopus in 2011, 11% were published in full, immediate OA journals.

28. As noted above, there is a growing international policy consensus around the importance of ensuring open access to the outputs of publicly-funded research. For example, the European Commission’s communication, “towards better access to scientific information: boosting the benefits of public investments in research” published in July 2012 set a clear expectation of open access to scientific publications generated via the Horizon 2020 programmes via the gold or green route—making clear that funds provided through the programme may be used to meet publication costs. The associated recommendation to member states calls on them to develop clear open access policies.

29. Similarly, the US National Institutes of Health has had a clear open access mandate, underpinned by legislation, for many years. Although it is not easy to calculate exactly how many NIH-funded research articles are made available under a gold (rather than green) model a search of PubMed Central shows that 21% of *all* the articles published in the OA journal PLOS ONE were funded by the NIH.¹³⁵ Further, this high level of OA publishing can also be seen in “hybrid” OA journals. By way of example, 48% of articles routed through the American Chemical Society’s “Open Choice” option were funded by NIH.¹³⁶ This data supports the notion that NIH-funded authors are finding the funds to publish via the gold route, and should help dispel the notion that “gold” OA publishing is limited to UK researchers.

30. Whilst we believe strongly that the momentum towards gold open access will continue to grow, we accept that there are uncertainties over how quickly take up in the rest of the world will proceed. As noted above, it will be crucial to ensure that any risk that UK institutions end up “paying twice” through subscriptions and APCs is mitigated by ensuring that expenditure on APCs is included in negotiations around subscription costs.

31. We would argue strongly, however, that the UK will not be disadvantaged by taking a lead in supporting gold open access in the intervening period. On the contrary, it will ensure that UK funded research findings are visible and more readily accessed by potential users—generating new opportunities for collaboration and innovation and benefits for the UK research enterprise and economy.

¹³¹ See http://www.nature.com/press_releases/cc-licenses.html

¹³² See <http://eu.wiley.com/WileyCDA/PressRelease/pressReleaseId-104537.html>

¹³³ So, by way of example, the article available at <http://www.ijbnpa.org/content/9/1/37> is licenced under the CC-BY licence, whereas Figure 1 (<http://www.ijbnpa.org/content/9/1/37/figure/F1>) is Crown Copyright.

¹³⁴ Laasko and Bjork. Anatomy of open access publishing: a study of longitudinal development and internal structure. *BMC Medicine*, 2012, 10:124. Online at: <http://www.biomedcentral.com/content/pdf/1741-7015-10-124.pdf>

¹³⁵ Search of PMC (<http://www.pubmedcentral.nih.gov>) on 30 January 2013 shows that of the 54,112 articles published in PLOS ONE, some 11,271 (21.5%) were funded by NIH.

¹³⁶ A search of PubMed Central, conducted on 5th February 2013, shows that of the 1239 articles published under the ACS’s hybrid OA option, 596 of these were funded by the NIH.

32. Of course, it is important to emphasise that supporting open access in no way compromises the ability of researchers and institutions to protect intellectual property in an appropriate manner. It simply ensures that, when research findings are ready to be disseminated through publication, they reach the widest possible audience and can be accessed and used to benefit society.

7 February 2013

Written evidence submitted by Wiley

Wiley welcomes the opportunity to submit evidence to the Select Committee's Inquiry into Open Access (OA). We publish 1550 journals, the majority with learned and professional societies. We are in complete support of the submission from the Publishers Association (PA) but would like to add some information based on our experience from consulting with our society partners, universities responding to the RCUK policies, funders developing Open Access policies and our authors.

THE GOVERNMENT'S ACCEPTANCE OF THE RECOMMENDATIONS OF THE FINCH GROUP

1. The Finch Group was carefully selected to represent a full range of stakeholders, enhanced by the support of RIN (Research Information Network).

2. All parties made compromises to achieve a consensus. For example, publishers and learned societies are likely to earn less per article with APCs (Article Publication Charges) yet appreciated that the gold model would deliver the key objectives set (expanding access) more effectively than other elements in a mixed economy. In accepting the recommendations of the Finch Group the Government has handed the RCUK a huge task. In some respects, however, the RCUK appears to be exceeding its mandate in a way that is counter to Government policy and risks sustainable journal publishing where UK based organisations have led the world—something that Government sought to avoid.

3. The switch from subscription based publishing to OA achieved by paying APCs involves a radical change in the funding of scholarly communication. The successful management of this change will require the support of all stakeholders. Such support from publishers and societies requires their belief and trust that the RCUK is following the Government's policy. As was clear from the submissions to the recent House of Lords Science and Technology Committee inquiry on implementation of Government Policy on Open Access that the RCUK should be giving more attention to a viable green OA option since there will be insufficient funding for Article Publication Charges (APCs). The Committee should also bear in mind that nearly half the research output of the UK is funded by HEFCE which does not provide additional funding to support publication. The likelihood is that those outputs will need to be published under the green model, since the HEIs are unlikely to reduce their QR research funding to pay APCs. If embargo periods are too short the subscription journals are at risk as are the societies and their activities that rely on the revenue journals generate. The potential of short embargoes to undermine the viability of journals and societies is particularly acute in those subject areas where the immediacy of research is less critical—the AHSS subjects primarily. We also believe that the RCUK has not followed the Finch Group recommendations, and therefore Government policy, on licensing as it is trying to impose licensing policy on green OA articles that along with a short embargo will undermine their sustainability.

RIGHTS OF USE AND RE-USE IN RELATION TO OPEN ACCESS RESEARCH PUBLICATIONS, INCLUDING THE IMPLICATIONS OF CREATIVE COMMONS "CC-BY" LICENCES

4. Our view is given in the PA submission. There is a general and genuine concern amongst authors over the potential misuse of their work with the CC-BY licence. We feel we must give them choice over licence. Data from, for example, Nature Publishing Group (NPG), supports this policy. When NPG introduced CC-BY as an option in July 2012, authors selected CC-BY on 5% of the papers. The most popular version was CC-BY-NC-ND (ie non-commercial, non-derivative).

5. Along with our learned society partners we feel no account has been taken of the rights of non-RCUK funded co-authors nor non-RCUK co-sponsors/funders. As owners of their journals learned societies do not see why the RCUK claims the right to determine licencing options when not paying an APC.

THE COSTS OF ARTICLE PROCESSING CHARGES (APCs) AND THE IMPLICATIONS FOR RESEARCH FUNDING FOR THE TAXPAYER

6. Publishers do very much more than "process" an article. Article Publication Charge is a more appropriate term.

7. The block grants announced by the RCUK for the payment of APCs will certainly give the UK first mover status internationally even though it will leave many authors unable to choose the preferred gold OA publishing route especially in the early years. We do not see however APCs to be the only cost in the scholarly communication system. HEIs will need to put resources into running their central funds for paying authors' APCs. There are best practice issues such as dealing with joint authorship (many articles are co-authored across borders) and giving approval for an APC before rather than after submission to a journal. We gather that the

RCUK will be giving assistance with this such as workshops to share best practice and establish guidelines, and that publishers might be invited to make some input. We are very willing to collaborate with the RCUK in this.

8. Like other publishers we are using a range of APCs and negotiating arrangements with HEIs which include discounts and regular reporting.

9. One of the basic arguments for open access is that the public as taxpayers who have paid for the research have a right to access the output of that research. Publishing that output and thus adding value is a cost that has to be paid for. Presumably funders now feel it is justifiable to spend a small percentage of their budget on enabling this access. The Finch “balanced package” included free access to journals in public libraries; we are participating in the working group that is addressing this issue.

THE LEVEL OF “GOLD” OPEN ACCESS UPTAKE IN THE REST OF THE WORLD VERSUS THE UK, AND THE ABILITY OF UK HIGHER EDUCATION INSTITUTIONS TO REMAIN COMPETITIVE

10. As was examined by the Finch Group its proposals based on gold OA would require a considerable investment over the first, say, five years. The Government appeared to understand this burden and made a commitment to encourage other countries to follow suit. At this stage the indications are not promising.

11. In the EU’s Horizon 2020 budget currently being debated in Brussels the paragraph on OA in the rules and regulations gives a clear commitment to OA but it’s neutral on whether this should be achieved by the gold or green route, or a combination of both. As specific funding for APCs along the lines of the RCUK’s policy does not appear to be favoured by the Commission we are likely to see the green option dominate. Science Europe, however, which represents the major research funders across Europe does seem to favour gold. The President of Science Europe, Professor Paul Boyle, can speak more authoritatively on this.

12. In the United States it appears that the major funders will follow the NIH’s adoption of a green policy based on an embargo of 12 months, although we may see more linking to the publisher’s platform rather than a heavy investment in a subject repository. In Australia the main health and science research funders are proposing a green policy based on an embargo of 12 months.

13. The recent report from Outsell (Open Access: Market Size, Share, Forecast, and Trends—January 2013) estimates that total revenues from OA articles was \$172 million in 2012 which was 2.2% of the total journal subscription market. Analysis of our hybrid titles (subscription based journals offering the gold OA option, a service we call OnlineOpen) reveals a similar market share for articles originating from England in 2011: 264 OnlineOpen articles out of a total of 11714 articles published, ie 2.3%. Take up from other countries has been lower: 0.8% from Germany, 0.6% from the USA and 0.2% from China. Uptake, however, is increasing in line with the Outsell estimate of a 34% increase in the total OA market from 2011 to 2012.

14. The UK would therefore appear to be already taking the lead in OA publishing and with the change in funding from the RCUK we are likely to move further ahead in the immediate future. We already punch above our weight in terms of output and quality of research articles. If the issues outlined above (which put a successful sector of the creative industries at risk) can be resolved publishers and learned societies can work together with other stakeholders to further enhance the output of our research community.

*Robert Campbell, Senior Publisher
on behalf of John Wiley & Sons (Wiley)*

7 February 2013

Zoological Society of London (ZSL)

The Zoological Society of London ZSL welcomes the opportunity to respond to the Business, Innovation and Skills Select Committee’s inquiry into the UK Government’s Open Access (OA) policy. In order to improve public access to research the Government intends to make all academic articles by UK-funded researchers open access (OA). As a publisher of STEM journals we in principle support this approach. However, for the future of Learned Societies, such as ours, it is critical that a balance is struck between widening access and maintaining sustainable publishing businesses.

1. CONTRIBUTION OF LEARNED SOCIETIES TO UK RESEARCH

As a Learned Society publisher we promote and support academic research within the fields of conservation science and zoology. Our contributions to these disciplines extend beyond publishing, and include conferences, workshops, science and conservation awards, and free, public lectures. These activities, funded by publications income, allow us to connect researchers and disseminate science to academics and the public. Learned Societies represent the “hallmark of excellence” within their discipline, and their important contribution is recognised both in the UK and internationally. OA will result in reduced income to Learned Societies, and there is no other UK funding source to replace the services that Learned Societies provide.

2. EMBARGO PERIODS AND GREEN OA

A viable Green OA option should be available where there are insufficient funds to cover APCs. Given the long life of papers published in our journals, a 12 month embargo on the accepted version is the minimum acceptable period if we are to avoid undue risk. The RCUK's policy on Green OA based on a short embargo (6 months) would threaten the viability of our journals and the wider activities funded by our publishing income, all of which contribute significantly to academic life in the UK.

3. RIGHTS OF USE AND RE-USE IN RELATION TO OPEN ACCESS RESEARCH PUBLICATIONS, INCLUDING THE IMPLICATIONS OF CREATIVE COMMONS "CC-BY" LICENCES

A review of Creative Commons-based licensing policy is urgently required to ensure that licences provide flexibility for authors. Work that is available under a CC-BY copyright license can be remixed, re-purposed and re-used by anybody, including for commercial purposes, so long as it is attributed. CC-BY license effectively removes the key rights of authors to control the use of their intellectual property. Allowing for commercial use without author consent has the potential to undermine investment in research projects, particularly where there is a business development interest, and this is obstructive to commercial funding of UK science. CC-BY-NA (non-commercial) or CC-BY-NC-ND (non-commercial, no derivatives) should be considered and authors need to be consulted in order that the appropriate licensing arrangements are available.

4. THE COSTS OF ARTICLE PROCESSING CHARGES (APCs) AND THE IMPLICATIONS FOR RESEARCH FUNDING AND FOR THE TAXPAYER

APC may need to be much higher than anticipated if the aim is to cover the real costs of publication. Competition may demand lower APCs, which would result in Learned Societies forfeiting their broader non-publishing activities or being pressured to publish many more papers in order to increase income, which could compromise integrity of peer-review and the journal quality.

The introduction of mandatory APCs systems has the potential to threaten academic freedom and researchers' careers. With limited APC funds, institutions will need to manage competition for funding and will be pressured to judge work by standards other than peer review. Institutional Publication Committees will ration funds in line with pressures for Research Excellence Framework (REF) and impact, which means that a great deal of potentially valuable work will be unfunded.

The requirement for APCs increases inequality both across and within institutions, by linking prestige in research and publishing to the capacity to pay APCs, rather than academic quality. UK journals will also be under pressure to select research according to whether APCs can be paid, instead of simply taking the best quality research. More resources need to be committed to cover not just the cost of APCs but also to develop systems for payment of APCs.

The level of "gold" open access uptake in the rest of the world versus the UK, and the ability of UK higher education institutions to remain competitive

Giving away the UK's tax-payer funded intellectual property will mean that other countries benefit at the UK's expense. Until OA is mandated in other countries, UK researchers will want access to research published in other parts of the world, and they will still have to purchase this content, so the cost to UK research persists.

I hope that the Committee will engage with all stakeholders with regard to these important issues.

Linda DaVolls
Head of Scientific Publishing

7 February 2013
