

UKRI Open Access Policy Consultation

Deadline noon 17th April 2020

Full List of Consultation Questions

Background Information Questions

To enable UK Research and Innovation (UKRI) to effectively analyse responses from different stakeholder groups, respondents are requested to provide some background information about themselves. Questions marked with an asterisk (*) are mandatory. In the online response for some questions, including mandatory questions, will only appear for specific types of respondent.

If you, your organisation or your group is responding on behalf of a specific discipline within an area indicated above, please describe it using a maximum of five key words separated by spaces:

- a. Please provide a named contact and email address so that UKRI can contact you regarding your responses. *
- b. Please indicate if you are also happy for UKRI to contact you about the outcomes of the consultation. *
- c. Please indicate who you are responding on behalf of. *
 - a. Yourself as an individual
 - b. An organisation
 - c. Other (including part of an organisation, department, informal group) – please specify type:
- d. Please specify the name of your organisation. *
- e. Please specify the name of your group/department. *
- f. Please specify which country you, your organisation or your group are based in.
- g. Which disciplinary area(s) would you associate you, your organisation or your group with? Please select all that apply. *
 - a. Arts and humanities
 - b. Medicine, health and life sciences
 - c. Physical sciences, engineering and mathematics
 - d. Social sciences
 - e. Interdisciplinary research
 - f. Not applicable
- h. What best describes the capacity in which you, your organisation or your group are responding? *
 1. Researcher(s)
 2. Publisher (including employees and representative bodies)
 3. Learned society or academy with an in-house publishing arm (including employees)
 4. Learned society or academy which outsources publishing to a third party (including employees)
 5. Learned society or academy which does not publish (including employees)
 6. Providers of scholarly communication infrastructure or services (including employees and representative bodies)

7. Library or research management (including departments, employees and representative bodies)
8. Higher education institute (HEI) (including departments, employees and representative bodies)
9. Business that conducts, uses or publishes research and/or innovation (including employees and representative bodies)
10. Research and/or innovation funder (including employees and representative bodies)
11. Member(s) of the public
12. Other research performing organisation (including departments, employees and representative bodies) - please specify:
13. Other user or producer of research outputs - please specify:
14. Other - please specify:
 - i. UKRI will share responses to this consultation (excluding personal data) with its sponsor department, the Department for Business, Energy and Industrial Strategy (BEIS), and other UK government departments and agencies, to explore OA issues. Have you or members of your group applied or been part of an application for grant funding from the following? If applicable, please select all that apply.
 1. UKRI (including AHRC, BBSRC, ESRC, EPSRC, Innovate UK, MRC, NERC, Research England, STFC, as well as predecessor bodies, HEFCE and RCUK)
 2. UK Space Agency
 3. Department for International Development (DFID) and subsidiary bodies
 4. Department of Health and Social Care (DHSC) including National Institute for Health Research (NIHR) and other subsidiary bodies

Section A: Research Articles

Q1. To what extent do you agree or disagree that it is clear what research articles are in-scope of UKRI's proposed OA policy (see paragraph 46 of the consultation document)? Strongly agree / **Agree** / Neither agree nor disagree / Disagree / Strongly disagree / Don't know / No opinion.

If anything is unclear, please explain why (1,350 characters maximum, approximately 200 words).

Make it explicit that *commissioned review articles* are out of scope. Also, there is ambiguity in situations where an output is only tangentially connected to UKRI funding. There may be some doubt about exactly what degree of connection to UKRI funding is required to bring a publication in-scope (beyond the unhypothecated block grant funding scenario already exempted in a footnote to para 27). (If the UKRI OA policy is ultimately applied to REF-beyond-REF 2021 the above concern is moot, provided all authors are also subject to the REF-after-REF 2021 OA policy (issues may still arise with international collaboration)).

Since there is often confusion about what constitutes a commissioned review, and because of the benefits of open access, UKRI funding provision should cover commissioned reviews as well as research articles and uncommissioned reviews, and transformative deals should include them where possible.

Clarify that associated materials (software, questionnaires or databases which may be made available alongside research papers) are not included in the license requirements. Such materials are often subject to separate license arrangements, including fee-paying licenses that assist with the maintenance of the resource. Several relevant examples are available via the UCL easy access licensing platform. <https://xip.uclb.com/>

Q2. Are there any additional considerations that the UK HE funding bodies should take into account when defining research articles that will be in - scope of the OA policy for the REF-after-REF 2021? **Yes** / No / Don't know / No opinion.

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

It can be difficult for institutional open access teams to establish whether a paper is "peer-reviewed research". Opinion pieces, case studies and commissioned reviews are problematical. In edge cases, the institution has to rely on the author to confirm whether or not the paper contains original research. This has implications for whether papers can be approved as part of an institution's or the national allocation under a transformative deal. Provided that the policy allows author and institution to come to a sensible agreement about whether a paper is in scope or not, this is reasonably clear. However, there is a danger that authors may not be consistent when reporting papers in ResearchFish. Sanctions and reporting should take this into account, and not penalise the institution.

Assuming this question relates to published research generally and not just UKRI-funded research, we suggest that an exception will at least be required for research published in international (non-UK based) journals where there has been no relevant commitment to OA publishing and where they are an appropriate avenue for publication, or where the output is collaborative and some of the authors are from non-UK institutions.

Please see paragraphs 29-31 of the consultation document before answering this question.

Q3. In setting its policy, should UKRI consider any other venues for peer - reviewed research articles which are not stated in paragraph 47 of the consultation document? Yes / **No** / Don't know / No opinion.

If yes, please expand (700 characters maximum, approximately 100 words).

Q4. Are there any specific challenges for you, your community or your organisation in terms of complying with the requirement in UKRI's proposed policy for immediate OA of in-scope research articles? **Yes** / No / Don't know / No opinion.

Please explain and, where possible, evidence your answer. UKRI notes that there will be a period allowing for implementation before the policy comes into force (see paragraph 70 of the consultation document). (2,650 characters maximum, approximately 400 words.)

We address cost implications later in the consultation, but a significant increase in the number of authors choosing an APC-based gold route for compliance would overwhelm UKRI block grants at current levels. Many research-intensive universities are already spending up to the current grants (evidence can be provided on request). If APC-based gold (leading to transformative deals) is a significant route to 100% OA, funding will be a major issue. It is clear that, in the current coronavirus crisis, university budgets cannot be used to meet costs for transformative deals above the current cost of subscriptions. The only money that can be available in the foreseeable future is money currently used to pay for subscriptions (and that at a much reduced level) and monies from funders who are willing to pay for APCs.

Academic feedback on this question emphasises the following additional points:

- If UKRI adopts a position similar to Plan S, it is clear that other countries such as Germany and the USA are not signing up to Plan S. There is a real danger that this will put UK researchers at a disadvantage in a global context
- There are challenges for unfunded researchers to publish in OA, since the cost of APCs can be high. Transformative deals will need to take this into account, or else such researchers will be disadvantaged.
- Indeed if the cost of transformative deals (replacing subscriptions and APCs) is too high, **no** university will be able to afford them
- For the move to full OA to work, **all** journals and publishers need to make the transition, and it is not clear that all are yet prepared/able to do so.

Another major challenge is the lack of availability of viable and appropriate routes for OA publication in many subject areas, e.g. Law. Very few of the leading venues for article publication in law are currently compliant with the UKRI policy. There are (as yet) very few fully OA high quality law journals, UCL Press's *Europe and the World* being a notable

exception. So far, the 'transformative agreements' with some publishers do not include major legal publishers.

It is a challenge to have a phased transition to UK OA publishing that does not disadvantage UK researchers, or disincentivise global collaboration or the recruitment/retention internationally.

Q5. Should UKRI's OA policy require a version of all in-scope research articles to be deposited in a repository, irrespective of whether the version of record is made OA via a journal or publishing platform? Yes / **No** / Don't know / No opinion.

Please explain your answer (700 characters maximum, approximately 100 words). Please note that some Research Councils already require articles to be deposited in specific repositories, as detailed in the terms and conditions of funding. UKRI does not expect this to change.

This should not be a requirement but a preference. Although our institution does deposit all Gold papers in our repository, this is a very manual process, and is time-consuming. Systems are not yet sufficiently interoperable for it to be made a requirement.

Q6. For research articles, are there any additional considerations relating to OA routes, publication venues and embargo periods that the UK HE funding bodies should take into account when developing the OA policy for the REF-after-REF 2021? **Yes** / No / Don't know / No opinion.

If yes, please expand (2,000 characters maximum, approximately 300 words).

Please see paragraphs 29-31 of the consultation document before answering this question.

- Excellent scholarship is international in scope. If the new UKRI policies effectively prevent researchers from publishing in journals which are not compliant with UKRI requirements, recruiting internationally will be compromised.
- There are additional considerations relating to OA routes when developing the OA policy for the REF-after-REF 2021:
- (a) Possible serious curtailment of viable publication outlets, reducing scholarly output in the UK and potentially placing UK authors at a disadvantage in fields where highly-valued journals are international.
- (b) As above, but with special impact on co-authored work involving UK authors and international authors not bound by equivalent publication constraints (which may even hinder UK authors in participation in international collaboration).
- In many disciplines, Green routes (self-deposit of AAM) are inherently inferior for researchers than Gold routes that place the VoR into open circulation. The AAM has not been copy-edited or corrected and lacks the stable pagination of the VoR. This makes it less accurate, less reliable for direct quotation (especially important in many Arts, Humanities and Social Science disciplines), and useless in terms of precise (page-level) citation. Where authors are not 'native' English speakers the lack of copy-editing is a significant problem (for the author and the reader): editors who publish African, East European and Indian History journals reported high investments in both copy-editing and proofreading in this context. For readers who have recognised legal disabilities (such as visual impairments, dyslexia and dyspraxia) the

AAM lacks formatting enhancements implemented by publishers between the AAM and the VoR.

- There is a clear concern among many academic disciplines about the future alignment of any new UKRI OA policy and the REF after the current 2021 REF. There needs to be careful consultation with academic colleagues and national funders on this issues to ensure that future REF requirements do not have unintended consequences.

Q7. To what extent do you agree or disagree that where compliance with UKRI's OA policy is achieved via a repository, a CC BY licence (or Open Government Licence where needed) should be required for the deposited copy? Strongly agree / Agree / Neither Agree nor disagree / **Disagree** / Strongly disagree / Don't Know / No opinion.

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

UKRI's proposal is to require a CC BY licence for all in-scope research articles. If the route to compliance for a specific article is through a repository then it should have a CC BY licence.

There are problems with 3rd-party materials (images, musical scores, literary texts) which often cannot be published CC BY, instead requiring CC BY-ND (or, indeed, -NC). Re CC BY-ND, there are many Social Science and Humanities researchers who believe strongly that CC BY-ND is an integral part of research ethics for their research.

There is a problem here for teaching and research. The 'attribution' requirement for users of CC BY content falls far short of academic referencing. There will be a major piece of work to do to explain to all students that if they 'mix' and 'reuse' CC BY content merely with 'attribution' in their assessed work they will likely be engaged in plagiarism.

This policy would be subject to the process for exceptions set out in Q8.

If outputs in many disciplines deposited in institutional repositories are not in the same form as VoR, this will undermine their quality and their usefulness (in Law, for example, how and whether the material will be cited).

Q8. To what extent do you agree or disagree that UKRI's OA policy should have a case-by-case exception allowing CC BY-ND for the version of record and/or author's accepted manuscript. Strongly agree / **Agree** / Neither agree nor disagree / Disagree / Strongly disagree / Don't know / No opinion.

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

An exception is reasonable, and we agree with UKRI's stated intention to make the request process light-touch, with a presumption that the exception will be granted. The process of requesting/granting an exception should be clear and quick to avoid publication delays: within 2 working days (to fit in with approval timescales under transformative deals) would be reasonable. It should ideally involve the author, institution(s) *and* UKRI, so that the relevant

institution(s) are aware that the exception has been granted when liaising with the author and publisher (either under a transformative deal or when processing the paper in a repository), and for reporting to UKRI; if not, relevant institutions should be notified that an exception has been granted. Institutions should be able to coordinate the process of requesting exceptions where appropriate. It should be possible to request the exception before or after publication, since authors do not always deposit on acceptance.

An example of the requirement for this exemption may be in the reuse, for example, of questionnaires which may have clinical impact, and where it is imperative to preserve their integrity.

An exception would not be needed if the default option was the (preferable) CC-NC-ND licence.

Q9. Would the proposed licensing requirements for UKRI's OA policy, which exclude third-party content (see paragraph 55 of the consultation document), affect your or your organisation's ability to publish in-scope research articles containing third-party content? Yes / **No** / Don't know / No opinion.

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

There are sufficient mechanisms (redacting some images, providing low-res options, etc) to allow continued publication, but this approach would not be acceptable in all subject areas.

It is worth noting that some image rights holders do not make a distinction between lower and higher resolution images as regards costs, but do limit the resolution for any e-book reproductions.

Many 3rd-party rights holders will not allow CC BY at all; others charge substantially for it. Many currently limit rights to a maximum of 5 years.

A good practical example is the different cost of acquiring rights to a limited paper edition versus an online edition. Many image rights holders charge an additional fee to acquire parallel e-book as well as print rights. To give one example: a museum's free online non-commercial image service allowed free use of the images in a print-only edition of a 2015 book – but because the book in question is also available in a parallel e-book edition there was a charge of c.£500 for three images. It is not necessarily Open Access that is the problem as much as the fact that most rights holders are not going to make concessions when they can make money.

Q10. Are there other considerations UKRI should take into account regarding licensing requirements for research articles in-scope of its proposed OA policy? **Yes** / No / Don't know / No opinion.

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

UKRI should make the licensing requirements prominent and explicit at grant award stage to ensure that authors are aware of their obligations and communicate these to non-UKRI co-authors at the earliest opportunity.

Q11. For research articles, are there any additional considerations relating to licensing that the UK HE funding bodies should take into account when developing the OA policy for the REF-after-REF 2021?

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

If yes, please expand (2,000 characters maximum, approximately 300 words).

Please see paragraphs 29-31 of the consultation document before answering this question.

Serious consideration must be given to the appropriateness of CC licences in general. The Laws Faculty feels their status as legal instruments and enforceability are unclear. The aim of ensuring access to research can be achieved without authors effectively waiving their copyright interest. Thought should be given to the possibility of complex and costly litigation on the enforceability and meaning of aspects of the licence. A CC-BY licence is the most risky one to adopt because it apparently grants permission for research to be monetised in such a way that it may damage a researcher or university's reputation (and excludes the possibility of negotiations for such revenue to be shared with the institution or applied for public benefit purposes). Allowing derivative works increases the risk that research might be manipulated (cut, pasted, edited) in a way which causes reputational harm or which is misleading to the public.

Research papers cannot be sliced up and maintain their original meaning. For an example, consider the facts of *Noah v Shuba* [1991] FSR 18: Dr Noah was consultant epidemiologist employed at the Public Health Laboratory Service. He wrote *A Guide to Hygienic Skin Piercing*. Mr Shuba published extracts of this guide in a magazine (*Health and Beauty Salon*) without Dr Noah's permission and added the following line: 'Follow clinic procedure for aftercare. If proper procedures are followed, no risk of viral infections can occur'. The High Court found that the whole passage quoted was misattributed to Dr Noah because of the additional words which he did not write (Shuba was liable for false attribution, copyright infringement and defamation for imputations that Noah was vague, grossly incompetent and negligent).

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

- a. UKRI should require an author or their institution to retain copyright and not exclusively transfer this to a publisher
- b. UKRI should require an author or their institution to retain specific reuse rights, including rights to deposit the author's accepted manuscript in a repository in line with the deposit and licensing requirements of UKRI's OA policy

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

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

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

It is possible to retain copyright but give away exclusive publication rights. It is also possible to publish under CC BY but to give copyright to the publisher. To allow the most open options now and in the future, the copyright and deposit rights should remain with the creators. This aligns with view that ownership of research outputs and their use and reuse fits with the developing values and culture of open research. It also enhances the social value of research. At a practical level, it also means that if there are any issues with a publisher placing the wrong licence on a paper there is a compliant, legal route for authors through green and deposit in a local institutional or subject-based repository.

Some academic feedback preferred (a) as the solution, in view of the discussion (above) concerning licences.

Q13. Regarding research articles in-scope of UKRI's OA policy, to what extent do you agree or disagree with each of the seven proposed technical standard requirements for journals and OA publishing platforms?

For each of the seven standards (see paragraphs 67a-67g of the consultation document): Strongly agree / Agree / Neither agree nor disagree / Disagree / Strongly disagree / Don't know / No opinion.

For each of the seven standards (see paragraphs 67a-67g of the consultation document), please explain your answer (700 characters maximum, approximately 100 words, per standard).

1. persistent digital object identifiers (PIDs) for research outputs must be implemented according to international standards such as DOI, URN or Handle
2. article-level metadata must be used according to a defined application profile that supports UKRI's proposed OA policy and is available via a CCO public domain dedication; the metadata standard must adhere to international best practice such as the Crossref schema and OpenAIRE guidelines
3. machine-readable information on the OA status and the licence must be embedded in the article in a standard non-proprietary format

4. long-term preservation must be supported via a robust preservation programme such as CLOCKSS, Portico or an equivalent
5. openly accessible data on citations must be made available according to the standards set out by the Initiative for Open Citations (I4OC)
6. self-archiving policies must be registered in the SHERPA RoMEO database that underpins SHERPA/FACT
7. unique PIDs for research management information must be used and must include the use of ORCID to identify all authors and contributors

- a. Strongly agree
- b. Strongly agree
- c. Strongly agree
- d. Strongly agree
- e. Strongly agree
- f. Strongly agree
- g. Strongly agree

We strongly agreed that the standards suggested for papers in journals and OA publishing platforms are appropriate – and we especially note that the use of DOIs is essential. We would suggest as additional PIDs the Research Organization Registry (ROR) and GrantIDs. Standards and best practice change over time and so there needs to be the flexibility to include new PIDs as they are developed. Where specific schema and guidelines are mentioned (e.g. Crossref and OpenAIRE) there needs to be open and transparent means by which the UK community can influence these.

For (g) we would suggest that ORCID be mandated. However, we also note that UKRI can only mandate its use for UKRI-funded authors – co-authors (especially internationally) may not have ORCIDs and this lack should not make a paper non-compliant.

Q14. Regarding research articles in-scope of UKRI's OA policy, to what extent do you agree or disagree with each of the five proposed technical standard requirements for institutional and subject repositories?

For each of the five standards (see paragraphs 68a-68e of the consultation document): Strongly agree / Agree / Neither agree nor disagree / Disagree / Strongly disagree / Don't know / No opinion.

For each of the five standards (see paragraphs 68a-68e of the consultation document), please explain your answer (700 characters maximum, approximately 100 words, per standard).

- a. PIDs for research outputs must be implemented according to international standards such as DOI, URN or Handle
- b. article-level metadata must be implemented according to a defined application profile that supports the proposed UKRI OA policy and is available via a CC0 public domain dedication; this should include the persistent identifier to both the author's

- accepted manuscript and the version of record; the metadata standard must adhere to international best practice such as the OpenAIRE guidelines
- c. machine-readable information on the OA status and the licence must be embedded in the article in a standard non-proprietary format
 - d. unique PIDs for research management information must be used and must include the use of ORCID to identify all authors and contributors
 - e. the repository must be registered in the Directory of Open Access Repositories (OpenDOAR)
-
- a. Agree
 - b. Agree
 - c. Agree
 - d. Agree
 - e. Strongly agree

The issues raised around PIDs in our answer to Q13 apply here also.

For 14b, an authors' accepted manuscript may not have been deposited, so it would be impossible to include details of an identifier. This clause should be reworded to include 'if deposited'

For 14c, we recommend '...embedded in the article metadata...'

As we say above, we note that UKRI can only mandate the use of ORCID for UKRI-funded authors – co-authors (especially internationally) may not have ORCIDs and this lack should not make a paper non-compliant.

Q15. To support the adoption of technical standards for OA, are there other standards, actions and/or issues UKRI should consider? **Yes** / No / Don't know / No opinion.

Please explain your answer (2,650 characters maximum, approximately 400 words).

We recommend UKRI review current accessibility standards and their applicability to journals, OA platforms, and repositories. Also, as suggested for Q13, UKRI should look to requiring as additional PIDs Research Organization Registry (ROR) and GrantIDs.

UCL would also note that most institutional repositories have not as yet adopted any set standards, and levels of systems support varies between institutions. As far as we can see, institutional repository systems are not well set up to adopt any single standard - even if they should be.

Q16. To support the implementation of UKRI's proposed OA policy requirement for research articles to include an access statement for underlying research materials (see paragraph 69 of the consultation document), are there any technical standards or best practices that UKRI should consider requiring? **Yes** / No / Don't know / No opinion.

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

It is important that to highlight that these materials are seen as separate resources and not subject to the same license conditions as the research articles.

Q17. UKRI's OA policy is proposed to apply to in-scope research articles accepted for publication on or after 1 January 2022. Which statement best reflects your views on this?

- a. **The policy should apply from 1 January 2022**
- b. The policy should apply earlier than 1 January 2022
- c. The policy should apply later than 1 January 2022
- d. Don't know
- e. No opinion

Please explain your answer. UKRI particularly welcomes detailed evidence as to the practical implications of the choice of date. If you selected b or c, please also state what you consider to be a feasible implementation date (2,000 characters maximum, approximately 300 words).

As UKRI is keen to ensure a higher percentage of UKRI-funded research is made available open access, the policy should be implemented as soon as possible. Ideally, this would be from 1 January 2021 so as to align both with the timeline of Plan S (which UKRI is a signatory to) and to the new Wellcome Trust policy. However, if the final policy is not published until later in 2020 this would not give sufficient time to make final adjustments to institutional and publisher workflows, to agree appropriate transformative deals, and to alert researchers. Therefore, UCL would support a delay to a later date.

The pandemic impact on many learned societies is posing a threat to the journals they sponsor. Many AHSS societies are having to write off significant losses. If so, journals may fold or (perhaps) be purchased by a press, with unknown consequences. The new UKRI OA policy may then have the unintended consequence of reducing publication outlets in these subject areas.

AHSS disciplines generally do not think there is adequate time for a sufficient array journals to make arrangements for OA to the new standard without there being a considerable period in which authors face a diminished set of compliant outlets in which to publish work that is even partially funded by UKRI.

There may be many months (at least) between submission and acceptance for publication, and submission for many journals is exclusive: i.e. articles are only under consideration with one journal at a time. Journals which do make the switch may see sharp increases in volume of submissions, resulting in further delay in peer review. A policy change applicable to articles accepted after Jan 2022 may begin changing submission decisions well before that point, meaning that there is very little time to manage these changes.

Q18. For research articles, are there any considerations that UKRI and UK HE funding bodies need to take into account regarding the interplay between the implementation dates for UKRI's OA policy and the OA policy for the REF-after-REF 2021? **Yes** / No / Don't know / No opinion.

If yes, please expand (2,000 characters maximum, approximately 300 words).

Disciplines in the social sciences and humanities receive proportionately less direct grant funding than those in STEM – in the UK only about 10% of current research council funding goes into those areas despite their representing about half of the research active workforce (PSA 2019). Therefore, in any move to transformative deals, which will allow full OA publishing, the costs of such deals need to be manageable to allow institutions to afford them. Where journals do **not** offer transformative deals, and retain APC payments many AHSS researchers, being unfunded, will find it difficult to afford APC charges.

The main consideration is that any OA policy for the REF-after-REF 2021 should have no retrospective requirements for articles published before its implementation that are more stringent than the proposed UKRI OA policy. Articles that are compliant under the UKRI OA policy should be considered compliant for REF-after-REF 2021.

The relatively low proportion of REF outputs that are funded by the Research Councils in AHSS disciplines means that the routes to OA will (due to access to/lack of funding for Gold OA – should individual APC payments form part of the UKRI policy) need to vary considerably and include discipline-specific flexibility, including as to timing, to ensure that adequate avenues for publishing research are always available, and that research careers are not adversely impacted.

Q19. Do you think the proposals outlined in Section A will have any financial cost implications for you or your organisation? **Yes** / No / Don't Know / No opinion.

Please expand, providing evidence to support your view, where possible (2,000 characters maximum, approximately 300 words).

The final financial costs implications will ultimately depend on the routes of compliance – the costs of 100% green compliance will be very different to the costs of 100% APC compliance! It is also dependent on:

- a. the types of transformative deals negotiated with publishers and the support from funders;
- b. timescales – difference in costs between the transition period and thereafter;
- c. different types of costs – embedded costs of staff within institutions required to aid and monitor compliance; costs associated with specific research grants; and the costs to support underlying infrastructure coming from project funding.
- d. There are potential opportunity cost implications in terms of the possibility of international collaborators (especially North American-based collaborators) being more reluctant to partner with UK researchers on grant applications given the potential limits on publication outlets.

We also note that the existing UKRI OA policies have already increased costs, in terms of staff to support policies, APCs paid to publishers, and transformative deals. However, there is an assumption that for the more research-intensive universities, there will be increased costs in all categories.

With the financial challenges being posed to universities through loss of fee income as a result of the coronavirus crisis, it is simply not possible for institutions to take on any extra costs. It cannot be emphasized too strongly that there is no possibility of institutions picking up extra costs to move to transformative deals.

UCL strongly urges UKRI to work with UUK to support negotiations with publishers to ensure that the move to transformative deals costs no more, and ideally less, than the current level of monies paid in subscriptions by universities and APA payments by funders. This is the only way that a move to transformative deals can work.

Q20. Do you think the proposals outlined in Section A of the consultation document will result in financial benefits for you or your organisation? Yes / **No** / Don't Know / No opinion.

Please expand, providing evidence to support your view, where possible (2,000 characters maximum, approximately 300 words).

Comments on the financial consequences of any change in the UKRI Open Access policy are noted throughout this response.

Q21. Can you provide any evidence of a changing balance of costs across research organisations arising from an emphasis on publishing costs rather than read costs? **Yes** / No / Don't know / No opinion.

Please expand (2,000 characters maximum, approximately 300 words).

UCL's "publish" costs would increase substantially over and above our "read" subscription costs. Our estimates, using Scopus data, are that 40% of UCL papers have a UCL corresponding author. In addition to funding that 40%, we would need to fund an additional 30% of our remaining papers to achieve full, immediate open access (on the expectation that the other 30% would be funded by another institution). If all publishers adopted transformative deals, this could require five times the £3.8m total that we paid in APCs (from our UKRI, COAF and UCL budgets) in 2018. With the additional financial pressures posed by the coronavirus, it is impossible for UCL to meet these extra costs.

The UKRI policy would not cover all UCL papers, but if publishers are to respond to it by offering transformative deals, institutions will need to pay for both UKRI/Wellcome- *and* non-UKRI/Wellcome-funded papers. Otherwise, these deals will not be truly transformative, particularly given the UK's relatively small share of global journal outputs. If transformative deals are to be an option for compliance with its policy, UKRI needs to be prepared, in the

short-term, to make it possible to fund transformative deals fully (with the exception of the smaller Wellcome contributions), in order to achieve an effective transition.

Q22. Can you provide any evidence on cost increases and/or price rises (including in relation to OA article processing charges (APCs)s and subscriptions) and reasons for these? **Yes** / No / Don't know / No opinion.

Please expand (2,000 characters maximum, approximately 300 words).

A Jisc report from 2016 showed APCs paid by UK institutions increase at about the rate of inflation (<https://www.jisc.ac.uk/sites/default/files/apc-and-subscriptions-report.pdf>). A more recent Delta Think report shows the average APC list price of fully OA journals increased 4% last year, while hybrid APCs increased by 2% - but from a much higher starting point (<https://deltathink.com/news-views-open-access-charges-consolidation-continues/>)

Q23. Do you think there are steps publishers and/or other stakeholders could take to improve the transparency of publication charges? **Yes** / No / Don't know / No opinion.

Please expand. Views are also welcome on how greater transparency might inform future funding levels (2,000 characters maximum, approximately 300 words).

We would propose a range of measures to improve transparency around publication charges:

- a. Continued use of Jisc Monitor and Total Cost of Ownership project to track prices – with resulting data being shared;
- b. Sharing APC spend data amongst institutions – with agreed methodology;
- c. Removal of confidentiality clauses from publisher contracts with publishers (although of the big publishers this mainly affects Elsevier);
- d. Transparency of how publishers calculate baseline for transformative deals – spend on subs and number of papers per institution.
- e. Coordinated, sector-wide analysis of the components of particular publishers' APCs is welcome. In general, our feeling is that publishers do provide appropriate data as part of transformative deal negotiations, and as an institution UCL is able to analyse our own historic APC spend. However, it is unclear what a reasonable baseline APC price might be (and this differs depending on the discipline/proportion of UK papers published by a particular publisher), so it is difficult to compare different deals. As an institution with a large amount of historic APC data, UCL would be keen to work with Jisc to investigate this in more detail. Central systems like Jisc Monitor have not proved very effective. On a related matter, once we have transparency consideration also needs to be given to how society activities might be funded independently of subscriptions/publications.

Q24. Regarding UKRI's consideration about restricting the use of its OA funds for publication in hybrid journals (see paragraph 80 of the consultation document), please select the statement that best reflects your views:

- a. UKRI OA funds should not be permitted to support OA publication in hybrid journals
- b. UKRI OA funds should only be permitted to support OA publication in hybrid journals where they are party to a transformative agreement or similar arrangement**
- c. UKRI OA funds should be permitted to support OA publication in hybrid journals
- d. None of the above
- e. Don't know
- f. No opinion

Please explain and, where possible, evidence your answer (2,650 characters maximum, approximately 400 words).

Publication in hybrid journals is still the most expensive route to open access (<https://deltathink.com/news-views-open-access-charges-consolidation-continues/>). However, it is also currently one of the most popular routes for UK authors. One approach would be a phased move away from hybrids. During the first phase, from 1 January 2021, we could follow (b) above - 'UKRI OA funds should only be permitted to support OA publication in hybrid journals where they are party to a transformative agreement or similar arrangement'. A phased approach will give publishers, libraries, and researchers time to adjust their models and working practices.

However, there is strong academic opinion in UCL which favours (c) – that UKRI OA funds should be permitted to continue to support OA publication in hybrid journals. This is because current models of hybrid publishing and payment are understood, whilst approaches such as read-and-publish deals are not yet mature.

Q25. To what extent do you agree or disagree that UKRI OA funds should be permitted to support OA costs that support institutional repositories? **Strongly agree** / Agree / Neither agree nor disagree / Disagree / Strongly disagree / Don't know / No opinion.

Please explain and, where possible, evidence your view (2,650 characters maximum, approximately 400 words).

Repositories are key underpinning infrastructure for one of the proposed routes to compliance for the UKRI policy. As such, there should be funding available from UKRI to support them. If this is not done through the current block grant mechanisms then UKRI should set up a second funding stream to allow long-term planning and capacity building, ideally on a more consistent basis than year-on-year funding.

It is critical that UKRI supports infrastructure and staff costs at an institutional level. UCL's open access team currently spends around 320 hours a month processing around 1,500 deposits to UCL's repository. Recent UCL estimates show that new Green deposits require up to 7 minutes (50% of deposits, simple to process), up to 12 minutes (40%, more complex) or up to 17 minutes (10%). These timings may increase with additional licensing and technical requirements for repositories. At present, systems such as Jisc Publications Router are not

widely used and do not save institutions any time. Funding to cover the proportion of staff time spent on UKRI-funded Green deposits is necessary. In addition, on a day-to-day basis at UCL, three members of staff advise on and process Gold transactions. The majority of their time is spent advising UKRI-funded authors. This requires expert staff who are familiar with funders' requirements and publishers' processes. In the short-term, complexity is likely to increase as staff need to advise on methods of compliance in the context of a stricter UKRI open access policy. Funding for staff should be multi-year, to avoid uncertainty and ensure consistency of expert staffing.

Q26. To help accelerate policy adoption, should UKRI introduce any other restrictions on how UKRI OA funds can be used? Yes / No / **Don't know** / No opinion.

Please explain your answer, including any views on how this could be implemented (1,350 characters maximum, approximately 200 words).

Q27. There are many business models that can support OA. A common model for journals is based on APCs, but there are also other models (such as membership models and subscribe to open). Are there changes or alternatives to the present UKRI funding mechanisms that might help support a diversity of OA models? **Yes** / No / Don't know / No opinion.

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

Any funding regime that is limited to transactional payments of APCs in exchange for publication is in danger of exchanging one problematic business model (subscriptions) for another. UKRI should embrace the alternative models promoted in the principles of Plan S and especially encourage models that support zero embargo green. In UCL Press, described elsewhere in this response, UCL has developed a publishing model for research monographs which is highly valued by both authors and readers. There should be latitude to allow OA funds to be spent on exploring and supporting this and other models.

Has the UKRI considered creating an Open Access publishing platform such as the Wellcome Trust's Open Research platform, or the European Commission's new publishing platform. Would that, financially, be a cheaper option than paying APCs for publishers to transition their commercial model to transformative deals?

Q28. As discussed in paragraph 74 of the consultation document, transformative agreements are one way of moving to OA in a more cost-effective way. Are there approaches to managing transformative agreements or other mechanisms and developments that UKRI should consider to help manage the transition to OA in a way that is cost-effective and offers public value to the UK? **Yes** / No / Don't know / No opinion.

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

Currently, focus on transformative deals is on the largest publishers. However, if we do not look at publishers beyond the big ten there are dangers of the long tail being squeezed. UKRI should work with the community and Jisc to help support smaller and society publishers in the transition.

Also, UKRI needs to provide certainty – institutions are shouldering the financial risks associated with multi- year transformative deals. UKRI should look to underwrite some of that risk.

UKRI open access awards should be multi-year, to give institutions the confidence to commit to transformative deals and achieve the best value for money for UKRI. There should be no restriction on the proportion of an institution's block grant that can be used for transformative deals (in terms of reporting, this should be no different to prepayment accounts, contributions to which have not been restricted under existing block grant rules): any limits will discourage institutions from taking advantage of deals. As in question 21, UKRI needs to be prepared, in the short-term, to make it possible to fund transformative deals fully, beyond its own papers, in order to achieve an effective transition. The existing block grant rules have been reasonably flexible, and this has enabled institutions to make cost savings: this flexibility should continue under the new policy.

The existing open access funding arrangements for MRC units associated with UK HEIs have been extremely problematical. With the growth of transformative agreements, separate open access funding for these MRC units is becoming even more unworkable. To avoid inequities between MRC authors affiliated with these units, and authors with separate MRC grant funding, and to ensure that authors at MRC units can take advantage of transformative deals, open access funding for MRC units should be rolled in with block grant funding to UK HEIs.

Q29. Are there any existing or new infrastructure services that you think UKRI should fund the maintenance and/or development of, to support the implementation of its OA policy for research articles? **Yes** / No / Don't know / No opinion.

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

A number of key pieces of infrastructure underpin the draft policy. The SHERPA services Romeo and FACT, as well as OpenDOAR are specifically mentioned in the policy. As these services are key to the smooth implementation of the policy, it is right that UKRI should fund at least part of their costs. Also, a number of other services such as Publications Router can improve metadata and content flow, so improving compliance. Supporting these services would reduce costs in other parts of the workflow.

Q30. To what extent do you agree or disagree that UKRI should provide or support a national shared repository? Strongly agree / Agree / **Neither agree nor disagree** / Disagree / Strongly disagree / Don't know / No opinion.

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

Both a national shared repository and a network of interoperable institutional and subject-based repositories could provide a compliance route to meet the proposed policy. Both options have advantages and disadvantages. However, to date we have not seen a comprehensive and systematic comparative analysis of the costs and benefits of both options. This would be essential before any decision to invest in a shared repository could be taken. We would urge UKRI to commission a detailed investigation of both options with a cost/benefit comparison between the two.

Instead of a shared repository, what might be more effective would be a top-level aggregation of metadata into a national portal, which points to full-text stored locally in institutional and subject repositories. This is the architecture for DART-Europe portal for European research theses - <http://www.dart-europe.eu/basic-search.php> - run by UCL, which currently provides access to 828,729 open access research theses from 619 Universities in 28 European countries.

Q31. Should UKRI require preprints to be made OA where there is a significant benefit with regard to public emergencies? **Yes** / No / Don't know / No opinion.

If yes, is there a recognised definition of 'public emergency' and/or protocols that UKRI should consider if this policy is implemented?

(1,350 characters maximum, approximately 200 words.)

Yes. This would provide a key public benefit in terms of providing the rapid dissemination of the latest results in a time of public emergency. The present coronavirus pandemic has underlined the key requirement of open access for all research outputs related to covid-19. The current emergency should act as the framework for defining a 'public emergency'.

This would also align the UKRI policy with that of Wellcome, providing consistency and clarity for authors. We would recommend UKRI work with Wellcome and other national and international organisation to develop the definition of 'public emergency'

Q32. Are there any supporting actions that UKRI could take alongside its OA policy to support the use of preprints in all disciplines? Yes / No / Don't know / **No opinion**.

The UKRI consultation document makes no mention of the UK Reproducibility Network, nor of the importance of the concept of reproducibility in research integrity. UCL has issued a UCL Statement on Transparency in Research (https://www.ucl.ac.uk/research/sites/research/files/ucl_statement_on_transparency_in_research_november_20191.pdf) which states: UCL is committed to transparency and rigour in research across all disciplines, and to continue to improve the ways in which we conduct research. This is part of our broader efforts to enhance the quality of research practice.

Reproducibility/transparency are key concepts in Open Science and UCL would welcome UKRI's recognition that this is the case in the final version of the OA policy. This would mirror the policy's explicit commitment to DORA.

Section B: Monographs, Book Chapters and Edited Collections

Q33. To what extent do you agree or disagree that the types of monograph, book chapter and edited collection defined as in-scope and out-of-scope of UKRI's proposed OA policy (see paragraphs 96-98 of the consultation document) are clear? **Strongly agree** / Agree / Neither agree nor disagree / Disagree / Strongly disagree / Don't know / No opinion.

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

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

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

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

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

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

As these are valuable scholarly research outputs that arise from UKRI funding they should be made open access. It is important that UKRI funds these necessary costs. The only caveat would be that the doctoral student may have left academia by the time of publication of subsequent monographs or book chapters. UKRI would need to put in place a clear funding stream for these outputs.

The policy should be explicit about including ebooks, born digital texts, etc.

Consideration should however be given to the fact that most universities already require digital deposit of PhD theses in the institutional repository. Universities allow embargoes for access to theses under certain circumstances, including if publication of a monograph based on the PhD research is planned. UCL will continue to develop its repository offering for PhD theses in line with student requirements.

Q35. To what extent do you agree or disagree that UKRI's OA policy should include an exception for in-scope monographs, book chapters and edited collections where the only suitable publisher in the

field does not have an OA programme? Strongly agree / Agree / Neither agree nor disagree / **Disagree** / Strongly disagree / Don't know / No opinion.

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

Any definition of 'suitable' in 'only suitable publisher' would have to be very tight otherwise this could become a blanket exception.

The majority of scholarly publishers have mechanisms in place for publishing OA monographs so there would need to be a very clear justification why the existing options were not suitable. Also, publishing a book OA is very straightforward – a publisher should not need a special OA programme. There are a number of existing channels for dissemination, such as OAPEN and JSTOR, and many supporting services such as DOAB and Knowledge Unlatched.

However, it should be noted that not all smaller independent presses currently offer an OA option, and this is also the case with many presses outside the UK. A number of university press series that publish niche or specialist areas will be threatened by the current economic climate and less well placed to experiment in the next few years; several are said to be in danger of bankruptcy.

Q36. Are there any other considerations that the UK HE funding bodies should take into account when defining academic monographs, book chapters and edited collections in-scope of the OA policy for the REF-after-REF 2021? **Yes** / No / Don't know / No opinion.

If yes, please expand (2,000 characters maximum, approximately 300 words). Please see paragraphs 29-31 of the consultation document before answering this question.

There are discipline-specific difficulties in moving to immediate OA for all monographs, edited collections and book chapters, even over a longer timeline. In this regard, an exception where the 'most suitable publisher' cannot accommodate immediate OA may warrant consideration.

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

- a. **12 months is appropriate**
- b. A longer embargo period should be allowed
- c. A shorter embargo period should be required

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

e. Don't know

f. No opinion

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

A 12-month embargo period is reasonable; however, some academic input asked for a longer period. Authors should be encouraged to seek immediate OA wherever possible. However, a view that 12 months is appropriate for all disciplines seems to go beyond the evidence available at this point.

UCL Press publishes OA monographs alongside priced print editions, with no embargo period, and print sales can still be significant. We typically see an average of 180 print sales in the first year after publication, with the highest around 400 copies, alongside total downloads that have now topped 3 million. Print sales revenue does not recoup all costs, however, as UCL Press's sales model differs in a number of regards from that of a commercial publisher, as described in more detail in Q40.

The impact on sales of open access has been studied by Ronald Snijder in *The Deliverance of Open Access Books : Examining usage and dissemination* (Amsterdam University Press, 2019).

However, the longer-term impact on print sales of a larger-scale transition to open access warrants further and ongoing study. Also, UCL Press would be pleased to share further details of its model and participate in further research.

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

a. 12 months is appropriate

b. A longer maximum embargo period should be allowed

c. A shorter maximum embargo period should be required

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

e. Don't know

f. No opinion

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

As for Q37

12 months is appropriate given the range of business models. As chapters are not sold or distributed individually, rather as part of a collection, if one chapter is made available OA in an otherwise closed book, for example, a shorter embargo might not be problematic if just a small proportion of a book is OA, but it could be challenging to administer a different policy for chapters and for books.

Where a single chapter would be deposited is a question that needs further exploration, as many OA dissemination platforms do not currently accept individual chapters. Institutional repositories do accept individual chapters, and this, or a national collection as suggested in Q54 below, would be a possible route.

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

a. 12 months is appropriate

b. A longer embargo period should be allowed

c. A shorter embargo period should be required

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

e. Don't know

f. No opinion

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

As for Q37.

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

or any longer embargo period? **Yes** / No.

If yes, please expand (2,000 characters maximum, approximately 300 words).

Please note that funding is further considered under paragraph 110 of the consultation document (question 53).

Establishing the appropriate level of funding in the case of different embargo periods would require further understanding of publishers' typical sales and revenue patterns, in order to establish the proportion of the publisher's costs that can on average be recouped over a given period. In UCL Press's case, we already operate a no-embargo, Gold OA model, and funding requirements are based on fixed pre-press costs and staff to manage the operation, which are subsidized by the institution. This is acceptable because of UCL's ROI and its enhanced global engagement activity, as measured by UCL Press downloads (3 million+ in 243 countries and territories). Our retail prices for print books are set at a level to recover print-on-demand costs and costs of sale only, rather than to recoup full operational costs from sales over time, therefore differing embargo periods and related funding levels would not directly affect the model we operate.

Q41. To what extent do you agree that self-archiving the post-peer-review author's accepted manuscript should meet the policy requirement? Strongly agree / Agree / **Neither agree nor disagree** / Disagree / Strongly disagree / Don't know / No opinion.

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

For outputs where there is not a publisher willing to make the version of record openly available or where the cost is prohibitive, deposit in a repository is an acceptable route to meeting the objectives of the UKRI policy.

However, there are some caveats to this response that we add for further consideration. Publishers invest in specialist copy-editing of manuscripts, and the degree of copy-editing required varies considerably from manuscript to manuscript. Authors might understandably be reluctant to deposit a manuscript that has not yet been through the copy-editing process. This is particularly important for research monographs in AHSS, as the language and presentation of the research is critical.

Some academic respondents felt that relying on AAM as compliance with OA requirements may mitigate the reluctance of publishers in some disciplines to move to immediate OA. But we note that this is suboptimal for many scholars and for research: in AHSS, the precise form

of the text, with the benefit of copy-editing, is often integral to the research contribution. Moreover, in law, courts and official bodies may be reluctant to cite anything other than the VoR.

Q42. Regarding monographs, book chapters and edited collections, are there any additional considerations relating to OA routes, deposit requirements and delayed OA that the UK HE funding bodies should take into account when developing the OA policy for the REF-after-REF 2021? **Yes** / No / Don't know / No opinion.

If yes, please expand (2,650 characters maximum, approximately 400 words). Please see paragraphs 29-31 of the consultation document before answering this question.

The answers given are based on UKRI OA policy and policy for the REF-after-REF 2021 being the same, i.e. that only those outputs that acknowledge UKRI funding will be subject to this policy, and that outputs from unhypothecated block grants are not in scope. There would be significant discipline-specific difficulties in moving to immediate OA for monographs, edited collections and book chapters, even over a longer timeline, if there were to be any contemplation of expanding this beyond UKRI-funded research. Further consideration of the requirements of the REF-after-REF 2021 is merited.

Q43. To what extent do you agree or disagree with CC BY-ND being the minimum licencing requirement for monographs, book chapters and edited collections in-scope of UKRI's proposed OA policy? **Strongly agree** / **Agree** / Neither agree nor disagree / Disagree / Don't know / No opinion.

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

We understand the concerns of some academics that CC BY is too liberal a licence for monographs, especially those in the arts and humanities. To maximise compliance with the policy we see CC BY-ND as an acceptable compromise between the benefits of wider use and re-use offered by CC BY and the desire to see a more restrictive licence. UKRI may wish to review and revise this after a few years if there is any wider evidence to support a view that CC BY-ND is either too liberal or too restrictive.

For academics in the arts and humanities, and the Social Sciences and Laws, the precision of the words used is of paramount importance to the arguments they present. Therefore the CC BY-ND licence offers the protection and reassurance they would need to make the transition to OA.

Q44. To what extent do you agree or disagree that UKRI's OA policy should include an exception for in-scope monographs, book chapters and edited collections requiring significant reuse of third-party

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

Please explain your view (1,350 characters maximum, approximately 200 words). Questions 45-46 concern how 'significant reuse' may be defined.

We agree that some exceptions should be allowed, but that good practice in making theses containing significant third-party materials available be investigated to minimise exceptions. In many cases, a complete, single-supply 'closed' version is made available through the institution, with a redacted or low-resolution version made openly available. This allows for wider dissemination of the research without significant liability for third-party rights.

The decisions on which version to make widely available are partly informed by risk assessment issues – UKRI could provide guidance and perhaps underwrite that risk to increase openness? Also, UKRI could investigate the possibility of allowing the full costs of securing open rights for third-party materials in grants?

For monographs, if grants are not available to cover the costs of third-party rights clearance for open access publication, or if permission is not granted for use in a book published under a CC licence, an exception should apply.

Exceptions could be reviewed in future as more image libraries make their out-of-copyright images free, or offer waivers for scholarly publications. It would be helpful if an authoritative list of free image sources could be compiled (the art magazine *Apollo* has one for art history, for example).

Q45. To what extent do you agree or disagree that if an image (or other material) were not available for reuse and no other image were suitable, it would be appropriate to redact the image (or material), with a short description and a link to the original? Strongly agree / **Agree** / Neither agree nor disagree / Disagree / Strongly disagree / Don't know / No opinion.

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

Agree – in some cases. 'Tombstone' pages and redaction are very problematic.

Redacting material should be allowed as a last resort once the options of legal exceptions, use of low-resolution alternatives, etc. have been exhausted.

This could be a suitable solution in some cases, for the compliance route of deposit of AAM in an institutional repository, failing all other options.

Q46. Do you have a view on how UKRI should define ‘significant use of third- party materials’ if it includes a relevant exception in its policy? **Yes** / No / Don’t know / No opinion.

If yes, please expand (2,000 characters maximum, approximately 300 words).

On the basis of typical fees, a significant number could be set at around 10 images upwards. Using a typical average £100 fee, this could add c.£1,000 to the production costs of the book. Even at this relatively low number of images, this would represent a significant increase in book production costs that would be difficult to recoup, or that would be prohibitive for the author to bear.

Some copyright holders do not allow re-use of images in a book published under a CC licence at all. If this applied to all the images required by the author then 10 images plus would also be a significant number in this scenario.

However, an alternative approach could be this. Defining ‘significant use’ by number of sources is problematic: what if an art historian publishes an article or book on a single image or text? The Royal Historical Society’s suggested definition is: ‘Significant use’ applies when a substantial argument or narrative in a given output cannot be made/illustrated effectively without reference to the associated 3rd-party material. For example, an output that relies for comprehension and/or validation on the reader’s ability to view a specific image or to read a specific text or musical score entails ‘significant use’ of that material.’

Q47. Do you have any other comments relating to licensing requirements and/or the use of third-party materials, in relation to UKRI’s proposed OA policy for academic monographs, book chapters and edited collections? **Yes** / **No**.

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

Q48. Regarding monographs, book chapters and edited collections, are there any additional considerations relating to licensing requirements and/or third-party materials that you think that the UK HE funding bodies should take into account when developing the OA policy for the REF-after-REF 2021? **Yes** / No / Don’t know / No opinion.

If yes, please expand (2,650 characters maximum, approximately 400 words). Please refer to paragraphs 29-31 of the consultation document before answering this question.

If the OA mandate for the REF-after-REF 2021 is limited to those outputs that acknowledge UKRI funding, and publication grants are made available, then the titles affected by a requirement for significant third-party materials could be funded via publication grants,

rather than requiring an exception, depending on the number of images and the fees involved. A capped contribution would be reasonable. (Although an exception would still be needed for books containing a significant number of images where permission is not granted at all.)

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

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

Please explain and, where possible, evidence your answer. If you selected answer b or c, please state what reuse rights you think UKRI's OA policy should require to be retained (2,000 characters maximum, approximately 300 words). It is not necessary to repeat here, in full, information provided in response to question 12.

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

The arguments for monographs and other in-scope materials echo those for journal articles. It is possible to retain copyright but give away exclusive publication rights. It is also possible to publish under CC licences but to give copyright to the publisher. To allow the most open options the copyright and deposit rights should remain with the creators. This fits with the view that ownership of research outputs and their use and reuse fits with the developing values and culture of open research. It also enhances the social value of research. At a practical level, it also means that if there are any issues with a publisher placing the wrong

licence on a paper there is a compliant, legal route for authors through green. Finally, the policy for monographs, book chapters and edited collections should be consistent with that for journals.

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

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

Please explain and, where possible, evidence your answer. If you selected b or c, please also state what you consider to be a feasible implementation date (2,000 characters maximum, approximately 300 words).

The possibility of an open access policy for monographs and related outputs has been trailed by UK funders for a number of years now. Setting a date of just under four years from now could give researchers, publishers, and libraries time to put in place the processes and infrastructure needed to support the policy. Any later and there is a danger that planning will drift.

Just under four years could allow publishers and funders time to plan for a transition, and to establish funding mechanisms and policy details. Policy should set out whether the date applies to signature of publisher contract or publication date. It would need to be the former, since the contract would need to set out the terms of publication and the licence.

However, an approach favoured by some academics is this: a later deadline to enable UKRI to undertake further research (e.g. using tiered costs for tiered embargoes--), 12, 24, 36, 48 months) before setting policy in stone.

In the current financial pressures facing HEIs and publishers, is there yet confidence that a speedy move to OA is achievable across all disciplines?

Q51. In order to support authors and institutions with policy implementation UKRI will consider

whether advice and guidance can be provided. Do you have any suggestions regarding the type of advice and guidance that might be helpful? **Yes/ No.**

If yes, please expand (2,000 characters maximum, approximately 300 words).

UCL Response – Version 1.0

Authors would benefit from a central source for advice and guidance, in particular as it relates to open access publication, on the following topics:

- Guidance on third-party material and the options for including low-res versions/redacting/providing alternative versions/etc.
- Guidance on copyright and rights retention
- A central resource listing publishers that provide open access publishing and are compliant with the policy – the Wellcome Trust such a list
- Guidance on third-party material – how to negotiate the rights for usage in an open access book published under a CC licence (this usually falls to the author), and a central register of free image sources that is updated regularly
- Guidance on copyright and third-party material generally
- Guidance on Creative Commons licences

Q52. Regarding monographs, book chapters and edited collections, are there any other considerations that UKRI and the UK HE funding bodies need to take into account when considering the interplay between the implementation dates for the UKRI OA policy and the OA policy for the REF- after-REF 2021 OA? **Yes / No / Don't know / No opinion.** If yes, please expand (2,650 characters maximum, approximately 400 words).

The policy for REF-after-REF 2021 would also need to take account of the availability of appropriate, and accessible, avenues for publishing monographs, edited collections and book chapters, in specific disciplines. We suggest that there may need to be flexibility on OA implementation dates where such viable avenues are not yet available in particular disciplines. Demonstrating such viability should be supported by evidence concerning any foreseeable negative impacts on careers of researchers, particularly ECRs, and showing that there are sufficient avenues for research to be published without costly barriers.

For example, the policy implementation date should apply to signature of contract rather than publication date. Publication cycles for books can be considerably longer for books, with contracts sometimes signed years before publication. This needs to be factored in.

Another consideration for the interplay between the implementation dates for the UKRI OA policy and the OA policy for the REF-after-REF 2021, is whether the two policies will align. Aligning them would have the benefit of reducing complexity, for implementation in particular.

Q53. Do you have any views regarding funding levels, mechanisms and eligible costs to inform UKRI's considerations about the provision of funding for OA monographs, book chapters and edited collections in- scope of its proposed policy? Yes / No. If yes, please expand (2,650 characters maximum, approximately 400 words).

We need to understand the size of the issue – how many monographs acknowledge UKRI funding directly? This number could increase significantly depending on how monographs and related outputs are considered for the REF-after-REF 2021.

We can envisage three potential funding mechanisms – a Wellcome-like system where authors approach UKRI when contracting with the publisher; a block-grant for monographs; or included costs in initial grant proposals. UCL favours the block grant approach, because this is the easiest to manage. This would be preferable to direct payments by UKRI, given that authors will naturally seek advice and support with compliance and payments from their local open access team.

We acknowledge that not all monograph publishers charge Book Processing Charges (BPCs). There are a variety of options - allowable costs within block grants; direct funding from UKRI; etc. Ideally, any support would be multi-year to provide stability and allow for continuity of planning. There is a long-tail of publishers and we would be willing to work with UKRI and Jisc to investigate procurement agreements with consortia of smaller publishers and/or university presses.

UCL Press is also able to share details of its typical costs for information. An average monograph (single author, c.80-100,000 words, few illustrations) typically costs around £4,000 in direct costs to produce (peer review, editorial, production, typesetting, OA dissemination). These direct production costs are supplemented by the equivalent of 6FTE publishing staff, to commission, edit, manage, promote and distribute a programme of around 45 books per year. These costs are largely subsidized by UCL. We are happy to share further details or participate in studies.

Cost of producing monographs have been the subject of a number of studies, for example by OAPEN, and by Ithaka S+R in its report of 2016, 'The Costs of Publishing Monographs: Towards a Transparent Methodology'. (Pre-press production costs for OA books do not necessarily differ from the pre-press costs for producing commercial monographs.)

Q54. To support the implementation of UKRI's OA policy, are there any actions (including funding) that you think UKRI and/or other stakeholders should take to maintain and/or develop existing or new infrastructure services for OA monographs, book chapters and edited collections? Yes / No /

Don't know / No opinion.

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

The Directory of Open Access Books is a key piece of infrastructure in this space and UKRI should consider providing long-term financial support. Also, deposit of title metadata in the DOAB should be made a condition of compliance.

If the idea for a central repository or a central portal pointing to content stored locally is taken up, it should be open to monographs, book chapters, and edited editions. See answer to Q30.

Funding – this could be managed by the individual awarding research councils, in the same way that the Wellcome Trust administers its publication grants for books resulting from Wellcome Trust grants.

A central repository for funded outputs or a central portal pointing to locally-stored content would greatly support compliance and comprehensiveness of coverage. The ability to host/index both full monographs and individual chapters would need to be an essential feature of any such development. See answer to Q30.

Q55. Are there any technical standards that UKRI should consider requiring and/or encouraging in its OA policy to facilitate access, discoverability and reuse of OA monographs, book chapters and edited collections? Yes / No / Don't know / No opinion.

Please expand (2,000 characters maximum, approximately 300 words).

The use of DOIs and ORCID for authors or other persistent identifiers.

Q56. Do you have any other suggestions regarding UKRI's proposed OA policy and/or supporting actions to facilitate access, discoverability and reuse of OA monographs, book chapters and edited collections? Yes / No / Don't know / No opinion.

If yes, please expand (2,000 characters maximum, approximately 300 words).

Section C: Monitoring Compliance

Q57. Could the manual reporting process currently used for UKRI OA block grants be improved? Yes / No / Don't know / No opinion.

If yes, please explain how (2,000 characters maximum, approximately 300 words).

There are two aspects to reporting: reporting of APCs/outputs, and reporting of compliance. (1) The current manual reporting process for APC reporting works well. We expect to record and report on individual APCs within our institution, and reporting to UKRI is not burdensome. We would not support direct reporting from publishers to funders, given the degree of data verification that we do ourselves before reporting to UKRI. (2) The lack of a source of truth for identifying UKRI-funded outputs means that it is not possible for institutions to report accurately on compliance levels. The current process takes this into account, and is sufficiently flexible, but the compliance data reported is not very meaningful. We have attempted to compare different sources, including Scopus, Web of Science and ResearchFish, to reach better compliance estimates, but none is reliable. The accuracy of ResearchFish data depends on how and when authors report outputs, and it is impossible to match our own payment data, by UKRI financial year, with publication years (and types) in ResearchFish. It would be better if UKRI took the same approach as the Wellcome Trust, with institutions being responsible for advising authors and assisting them with compliance (i.e. *facilitating* compliance), but UKRI (with institutions' assistance, and with the opportunity for institutions to verify data) measuring compliance overall.

Q58. Except for those relating to OA block grant funding assurance, UKRI has in practice not yet applied sanctions for non-compliance with the RCUK Policy on Open Access. Should UKRI apply further sanctions and/or other measures to address non-compliance with its proposed OA policy? Yes / **No** / Don't know / No opinion.

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

It might be seen as reasonable for UKRI to look to sanctions for non-compliance. However, these should be the last resort and UKRI has a responsibility to resource education and awareness raising amongst authors.

For institutions *and* for researchers, a collaborative approach between funders, institutions and researchers to raise levels of awareness and positive incentives for OA publishing decisions is preferable to sanctioning anyone, particularly through the transition phase.

Q59. To what extent do you agree or disagree with the example proposed measures to address non-compliance with the proposed UKRI OA policy (see paragraph 119 of the consultation document)? Strongly agree / Agree / Neither agree nor disagree / Disagree / **Strongly disagree** / Don't know / No opinion.

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

The proposed measures involve sanctions on research organisations. We appreciate that UKRI considers that its grants are awarded to ROs rather than individual PIs. However this, and the sanctions proposed, need to take into account the realities of publishing and open access processes and recognise how compliance would be best served. While institutions are in a very good position to *facilitate* compliance with open access policies, they cannot *ensure* that

authors comply. They can advise on compliant publishing routes, offer the opportunity to publish under transformative deals (funds permitting), provide repository infrastructure and run enquiry services, and they can publicise all of these services throughout their institution. They can introduce interventions such as regular compliance reporting and communicating policy requirements. However, they cannot ultimately control where an author publishes or whether they deposit their paper, nor whether an author acknowledges funders appropriately. The latter makes it more difficult to ensure compliance with a funder's policy than with the REF open access policy. Nor do institutions have the capacity to remedy breaches – at its simplest, institutions only have copies of accepted manuscripts where authors deposit them, and cannot get them from publishers. A PI's key relationship, in terms of funding, is with their funder.

Sanctions will only be appropriate, and effective, if directed at the individual grant holder, by the relevant Research Council or UKRI centrally. This is the model that the Wellcome follows.

UCL, however, remains unenthusiastic about sanctions for individual researchers.

Section D: Policy Implications and Supporting Actions

Q60. Do you foresee any benefits for you, your organisation or your community arising from UKRI's proposed OA policy? **Yes** / No / Don't know / No opinion.

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

Benefits of open access:

Long term benefits of reduction in subscription costs if similar policies are adopted worldwide

If policies aligned, both within UKRI and with other national and international funders, then benefits in streamlining processes

Managed appropriately, the policy has the potential to increase authors' engagement with open access, increase awareness of open publishing venues, encourage publishers to adopt more open policies, and allow more authors (not only UKRI-funded) to publish open access.

Q61. Do you foresee UKRI's proposed OA policy causing and/or contributing to any disadvantages or inequalities? **Yes** / No / Don't know / No opinion.

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

- a. There may be a limited number of options for publishing venues for some authors if publishers are not willing to adapt their policies
- b. Well-resourced authors in well-funded institutions and/or subject areas may have more options than those in less well funded areas
- c. This may include early career researchers and care will need to be taken not to disadvantage this sector of the community.

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

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

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

If the policy succeeds, then all UKRI-funded research will be available immediately (or with a short embargo for monographs and related outputs) and free of charge to readers all across the world – including those in low-and-middle-income countries. As other signatories to cOAlition S and funders more widely enact robust OA policies the proportion of the world's research outputs will increase.

Care will need to be taken to ensure that high-price APCs are not the only business model supported as this may exclude authors from low-and-middle-income countries. But we recall a) many publishers of journals that impose high-price APCs offer waivers; b) the majority of open access journals do not impose any APCs; c) many low-and-middle-income countries have implemented exceptional local OA options; d) green OA always offers a no-cost means of materials open.

Q63. Do you anticipate any barriers or challenges (not identified in previous answers) to you, your organisation or your community practising and/or supporting OA in line with UKRI's proposed policy?

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

If yes, please expand, including any supporting actions you think UKRI could undertake to remove or reduce any barriers identified (2,650 characters maximum, approximately 400 words).

Q64. Are there any other supporting actions (not identified in previous answers) that you think UKRI could undertake to incentivise OA? Yes / No / Don't know / No opinion.

If yes, please expand (2,000 characters maximum, approximately 300 words).

Q65. Do you foresee any other implications (not identified in previous answers) for you, your organisation or your community arising from UKRI's proposed OA policy? Yes / No / Don't know / No opinion.

If yes, please expand (2,000 characters maximum, approximately 300 words).

Section E: Further Comments

Q66. Do you have any further comments relating to UKRI's proposed OA policy? Yes / No.

If yes, please expand (2,650 characters maximum, approximately 400 words.)

Q67. Do you have any further comments relating to commonality between UKRI's proposed OA policy for outputs acknowledging UKRI funding and the OA policy for the REF-after-REF 2021? **Yes** / No.

If yes, please expand (2,650 characters maximum, approximately 400 words.)

Alignment in policies to the greatest extent possible to ensure a streamlined and consistent approach.

Q68. Do you have any further thoughts and/or case studies on costs and/or benefits of OA? **Yes** / No.

If yes, please expand (2,650 characters maximum, approximately 400 words).

Comments from the UCL community:

- a. Why not accept BioRxiv or MedXiv as open access, quick, open peer review, free? (perhaps coupled with Green OA for the final accepted version)
- b. There is no other sense apart from OA compliance in which authors regard their AAM as having any status, once the article has been published.
- c. Institutional repositories only exist in the OA universe because they are the logical place for deposition of the AAM in order to meet OA compliance requirements.
- d. Accepting journals which allow the AAM but not the published one to be OA is weak. UKRI should remove this possibility.
- e. CC-BY-SA should be the default licence. CC-BY-SA is a copyleft licence which ensures that if the research in question is reused or incorporated into another work, that work must also follow the licence.
- f. At present, universities spend a lot of money on subscriptions. In an OA world, much of this will not be required, but serious non-profit publishers like learned societies will still need to function. We need a robust national plan for how money currently spent on subscriptions will be diverted, to ensure that it is spent to benefit research. This is not present in the UKRI suggestions.
- g. The general shift to a pay-to-publish rather than pay-to-read model may have particularly serious implications at a time when many researchers will struggle to find academic posts. The effect of a move towards pay-to-publish, prior to non-commercial alternatives emerging in all disciplines, may be to lock authors, whose work would otherwise merit publication, out of publication. This effect may also have major EDI implications.
- h. If commercial scholarly publishing becomes unviable in some fields, prior to the stabilization of public or philanthropic funding for alternative OA platforms, there is a risk of a move to disorganised and un-rigorous self-publication.
- i. There are competing considerations when it comes to whether scholarly editions (e.g. relevant for both law and legal history) should be in-scope or not. On one hand, such editions may be particularly entwined with publishing models which support scholarly societies. On the other hand, the exclusion of scholarly editions from OA policies further entrenches a perception that they are less valued for REF purposes.