

---

# UKRI Open Access Review: Consultation Response by the British Academy

29 May 2020

---

## 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)?**

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).

**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).

Please see paragraphs 29-31 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?**

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

If UKRI wishes to achieve immediate OA for in-scope research articles, then it should commit to providing adequate funding for Gold OA publication of the version of record. Increasing the OA block grant to the level needed to attain this would provide an impetus to extending OA that would be widely welcomed. Indeed, HEIs and research organisations are likely to find Gold OA impossible to fund in the post-

COVID-19 climate without a substantial increase in the block grant. We are aware of the widespread anxiety that exists, particularly among HSS learned societies, about the alternative proposed means of achieving immediate OA – through embargo-free Green: see our answer to Q6.

**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.

While the depositing of articles in repositories may represent some duplication of effort where a version of record is available OA, we would not wish to interfere with any Research Council's existing terms and conditions of funding.

**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 before answering this question.

We are pleased that the proposed UKRI OA policies that form the subject of this consultation do not relate to work that is supported by UKRI solely through unhypothecated 'quality-related' (QR) funding. While there will understandably be some commonality between the OA rules for outputs arising from Research Council-supported work and those required in the REF (doubtless, with one 'nesting' within the other), there must inevitably be some significant divergences between them: the two exercises are in many ways incommensurable.

One key area of divergence is in respect of Green embargo periods. Within HSS disciplines, only a relatively small proportion of research is funded by Research Councils, and therefore only a minority of HSS article authors have access to funds for APCs from the OA block grant. Journals in most HSS disciplines are hybrid, continuing to rely on the traditional subscription model. If an OA policy of embargo-free Green is extended to the REF-after-REF 2021, which would therefore apply to the much larger number of articles published in HSS journals, there are widespread fears that libraries would find it much easier to cancel journal subscriptions. We are not persuaded that any current evidence of library behaviour in respect of any existing '0 months Green' journals is a predictor of behaviour in such a significantly altered future – particularly a future involving significant pandemic-induced financial disruption. This is a matter of acute concern to many HSS learned society journal publishers. If the OA policy for the REF-after-REF 2021 does not allow an appropriate embargo period (we would advocate 12 months) for HSS journal articles, then the UK research and publishing landscape as a whole will be at risk.

**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 OGL 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).

A liberal reuse policy is a laudable goal. However, it would be perverse if the overall impact of the OA policy did not allow for the publisher of an original journal article to recoup its investment. The provision of adequate funding for Gold OA publication of the version of record would ensure that. See also our answer to Q8 on the -ND element of the Creative Commons licence, and to Q9 on third-party rights.

**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).

Only a CC BY-ND licence protects text from potential distortion by subsequent users. The CC BY 4.0 licence does not offer those safeguards. In a number of HSS disciplines the integrity of academic argument, which often depends on careful and precisely phrased formulations (e.g. in philosophy or law), would be at risk. And where a publication uses orally-gathered material – some of which is of great ethical sensitivity, for example first-person accounts by people with mental health issues, survivors of trauma, or refugees – there would be a risk of changes to their testimony which would go far beyond ethical guidelines. We therefore continue to advocate strongly for the use of -ND.

We welcome the fact that UKRI's proposed policy provides blanket permission for use of the CC BY-ND licence in monographs, book chapters and edited collections. UKRI's proposed policy in respect of research articles – that permission for an -ND licence be made on a case-by-case basis – is likely to put considerable pressure on hard-pressed Research Council personnel, particularly in the AHRC and ESRC, where such requests will be common. We welcome the informal indications that any process should not be onerous and should presume that permission will be granted. But we would go further and advocate that each Research Council should be able to decide on whether to allow the -ND licence automatically or not.

**Q9. Would the proposed licensing requirements for UKRI's OA policy, which exclude third-party content (see paragraph 55), 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).

We welcome the attention that this consultation pays to the difficult issue of third-party content in respect of monographs, book chapters and edited collections (Q44-Q48). We believe that this is a difficult issue in respect of research articles too. An

article can require ‘significant use’ of one or more pieces of third-party content, e.g. alongside a piece of intense analysis or criticism; and the redaction and replacement of the image or other material by a ‘tombstone’ page would render the argument meaningless. There are a significant number of rights holders, including publicly funded libraries, archives, and museums, and many holders abroad, who do not offer OA licences of any type for their material. And where rights holders do allow OA licences, these are frequently subject to strict limits and are often more expensive than licences for traditional online and print use. Because these restrictions and financial burdens can prevent researchers from publishing articles, we believe that the OA policy should include an exception for research articles requiring ‘significant reuse of third-party materials’, as is discussed in relation to books (Q44).

**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).

**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 before answering this question.

The issues that we have raised in Q8 and Q9 become even more acute in respect of the REF, given its much wider applicability, particularly for HSS research articles. There needs to be a blanket permission for use of the CC BY-ND licence for research articles that are out-of-scope of UKRI’s OA policy, as there can be no practicable mechanism for granting permission on a case-by-case basis – at the very least a blanket permission for HSS articles. This worked successfully for REF 2021, and then also alleviated much concern in the sector. Similarly, there is a strong case for the OA policy for the REF-after-REF 2021 to include an exception for research articles requiring ‘significant reuse of third-party materials’, particularly as there will be even less likelihood of OA funding to help meet the increased permission costs that can be incurred.

**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.

**Publishers do not need to take copyright from authors in order to publish their articles; and increasingly it is standard practice that publishers only seek an exclusive licence to publish. But we do not think this is a matter on which UKRI need have a policy.**

**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):

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), please explain your answer (700 characters maximum, approximately 100 words, per standard).

- a. persistent digital object identifiers (PIDs) for research outputs must be implemented according to international standards such as DOI, URN or Handle **Agree**
- b. article-level metadata must be used according to a defined application profile that supports UKRI's proposed OA policy and is available via a CC0 public domain dedication; the metadata standard must adhere to international best practice such as the Crossref schema and OpenAIRE guidelines **Agree**
- c. machine-readable information on the OA status and the licence must be embedded in the article in a standard non-proprietary format **Agree**
- d. long-term preservation must be supported via a robust preservation programme such as CLOCKSS, Portico or an equivalent **Agree**
- e. openly accessible data on citations must be made available according to the standards set out by the Initiative for Open Citations (I4OC) **No opinion**
- f. self-archiving policies must be registered in the SHERPA RoMEO database that underpins SHERPA/FACT **Agree**
- g. unique PIDs for research management information must be used and must include the use of ORCID to identify all authors and contributors **Agree**

**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):

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), please explain your answer (700 characters maximum, approximately 100 words, per standard).

**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).

**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), 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).

**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).

The UK HE funding bodies recognise that due notice will be needed prior to implementation of the OA policy for the REF-after-REF 2021, which will be consulted on in detail after UKRI's OA policy is announced (see paragraphs 29-31). It is therefore anticipated that the OA policy for the REF-after-REF 2021 will not come into effect on 1 January 2021 (that is, at the beginning of the publication period for the REF-after-REF 2021 exercise). The REF 2021 OA policy should be followed until further notice.

The COVID-19 pandemic has brought about major disruption and a financial crisis affecting the whole HE sector. UKRI has already postponed the date when its OA policy will be announced, and it is obvious that the implementation date should also be pushed back. Indeed, we think that UKRI should not impose new compliance requirements on individuals and institutions until the sector is better able to meet the additional administrative and financial burden.

**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).

Because of the current pandemic disruption, the timetable for REF 2021 has been pushed back. So too has the timetable for UKRI announcing its OA policy (as discussed in Q17). Both of these obviously have implications for when any OA policy for the REF-after-REF 2021 may be consulted on, announced and implemented. In HSS many more research articles are submitted to the REF than arise from research funded by Research Councils, so any changes in OA policy for the REF-after-REF 2021 will have profound consequences, and should not be rushed.



**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 Journal of the British Academy* has been fully OA from its inception, funded from the Academy's own budgetary resources, and we are currently planning to increase the number of issues. But we are aware of the widespread concerns of other HSS learned society journal publishers about the potential impact of the proposed OA policy on those societies' finances.

**Q20. Do you think the proposals outlined in Section A 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).

**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).

**Q22. Can you provide any evidence on cost increases and/or price rises (including in relation to OA APCs and subscriptions) and reasons for these?**

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

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

As publisher of a fully OA journal, the British Academy is aware that increased and enhanced editorial capacity, improvements to hosting arrangements, and compliance with new standards will all produce significant cost increases, which cannot be wished away.

**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).

**Q24. Regarding UKRI's consideration about restricting the use of its OA funds for publication in hybrid journals (see paragraph 80), 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).

In HSS, hybrid journals remain the overwhelmingly dominant vehicle for research articles, and will long continue to play a key role in extending OA. As we have explained in Q6, within HSS disciplines, only a relatively small proportion of research is funded by Research Councils. Consequently, journals in most HSS subjects still contain only a small minority of articles by authors who might have access to funds for APCs from the OA block grant. That in itself means that journals in most HSS disciplines are unlikely ever to 'flip' to OA-only, as they would not be able to continue publishing sustainably. If the funds that UKRI provides to support OA could not be used to pay APCs for publication in hybrid journals that would mean, in HSS, that Research Council-supported research would be driven to appear in a few compliant OA-only outlets, not all of which offer the same level of rigorous peer review. We would not support such a perverse limitation on author choice, and we could not support causing such potential harm to the research ecosystem.

We are relieved that UKRI has posed this issue neutrally in its consultation. Indeed, as we have urged in Q4, UKRI should commit to providing adequate funding for Gold OA publication of articles from Research Council-supported work, whether in OA-only or hybrid journals. The continued existence of hybrid journals is essential, in order to maintain a broad choice of outlets for the great majority of HSS authors who do not have access to any funds for Gold OA and for whom Green OA is their only option.

**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).

**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).

These are indeed a number of experimental alternative approaches to publishing OA journal articles, but these have not demonstrated the scalability and sustainability needed to do the heavy lifting of the great bulk of academic journal publishing. We are very wary of any assumption that, by promoting a proliferation of business models, the costs of publishing journal articles can be made to disappear.



**Q28. As discussed in paragraph 74, 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).

These are very early days for 'read and publish' agreements. Agreements of this nature may represent one future for journal publishing, and we are broadly in favour of the direction of travel that they represent. If UKRI wishes to support this means of transitioning to OA, then it should clearly support Jisc in developing and funding 'read and publish' deals. But these are complex arrangements, and there are likely to be imbalances between the 'read' and 'publish' elements that may make them unsuitable for some institutions (or, indeed, looking more globally, for whole countries).

We also think that they may have the perverse effect of strengthening the hold over journals of the bigger journal publishers, for the latter have the capacity to contemplate large-scale 'read and publish' agreements; again, Jisc can have a role here in helping smaller learned society publishers to participate.

Although 'read and publish' deals are already having some impact, they cannot be used as the sole solution for an OA policy that is supposedly to start in January 2022, while UKRI should not presume that this mechanism will save money in the longer term. We note that library representatives are beginning to have grave doubts about the affordability of 'read and publish' agreements (even before the COVID-19 outbreak, never mind now), which may also result in them not becoming normal direction of travel in the immediate future. UKRI should continue for some time to factor into its future plans the continuation of hybrid journals as a default outlet for research articles, and make appropriate funding provision for APCs for Gold OA journal articles.

**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).

**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).

**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.)

In some HSS disciplines, preprints (or 'working papers') have some currency (e.g. in economics). But preprints are quite alien to other HSS disciplines, where the text as finally approved for publication is all-important. In times of public emergency, appropriate dissemination of relevant research through preprints should be strongly encouraged, but not required.

**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.

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

As we have argued in Q31, there are legitimate differences in disciplinary conventions in respect of preprints, and UKRI should not seek to override these.

## 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) 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).

(i) We welcome the fact that the definitions of 'book chapters' and 'edited collections' include those that may arise from a conference (para 96b,c).

(ii) The policy is deemed to 'apply to an edited collection when the editor(s) of the collection acknowledge(s) funding from UKRI' (para 96c): we presume the intention here is to include any edited collection where all the contributed chapters arise from a research programme that has received UKRI funding – and that is reasonable. But to claim that the policy should apply to all chapters by authors whose research has *not* been funded by UKRI – in an edited collection where the UKRI-supported editor(s) may well have only directly contributed an Introduction – would represent an unenforceable intellectual property land-grab.

(iii) The inclusion of 'trade books' within the list of 'out of scope' types (para 98) is welcome. But we regret that the explanatory definition of 'trade books' seems restricted to 'monographs'; the British Academy report *Open Access and Book Chapters* (2019) drew attention to the fact that some 'edited collections' (e.g. many 'Handbooks' or 'Companions') are commissioned to be published in the same way as 'trade books'.

(iv) We welcome the inclusion of both 'scholarly editions' and 'exhibition catalogues' within the list of 'out of scope' types. We suggest that there should be a more general exemption of highly illustrated scholarly 'catalogues' of visual corpora: a scholarly *catalogue raisonné* of an artist's original work or body of works is similar in character and function to a scholarly edition of an author's original work or body of works. Q44 raises the issue of exceptions for in-scope books requiring significant reuse of third-party materials: some of this could be addressed by a clearer inclusion of all scholarly illustrated catalogues within the list of 'out of scope' types.

**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).

Thesis-derived monographs have long been a regular feature of academic book publishing programmes. But a publisher may have to invest significant editorial effort to make the work publishable, and with little expectation of significant sales. Requiring such books to comply with an OA policy that reduces further the possibility of sales revenue increases the risk that publishers might withdraw completely from taking on this type of book. If OA is to be applied to books arising from UKRI-funded doctoral

research, it must be accompanied by a guarantee that it can be properly supported by OA funding (see our answer to Q40). The difficulty is that, before they secure a permanent contract, early career researchers will face considerable problems in gaining access to sources of book/chapter/article processing charges. There is a significant equality, diversity and inclusion dimension to extending any OA requirements for outputs from doctoral research.

**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).

There is a well-known 'long tail' of small publishers who publish one or two books in specialist contexts, and who may lack the financial or technical capacity to meet imposed OA stipulations (or may even still only publish in print). In addition, many books are most appropriately published, often in languages other than English, by non-UK publishers, who may not recognise UK-specified OA obligations. In support of UKRI's belief in 'maintaining and encouraging a diverse publishing ecology' (para 94), the policy should allow this exception where the suitable publisher does not have an OA programme.

**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 before answering this question.

See our answer to Q6. Given the greater numbers of books that will be affected by any REF policy, it is even more important that there are realistically broad definitions of 'out of scope' types and exceptions. Serious consideration should also be given to extending the definition of 'trade books' in the REF policy to provide more allowance for 'crossover' books.

**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).

It is wholly unrealistic to expect sales revenue after 12 months to enable publishers to recoup sufficient costs. According to the UUK report *Open access and monographs: Evidence review (2019)*, '70% of publisher sales take place in the first two years after publication, with 80% of sales taking place in the first three years'. The shortfall in sales revenue cannot simply be wished away. Even more importantly, those sales patterns are based on existing circumstances. There is a distinct likelihood that too short an embargo period would lead to changes in buyer behaviour that would reduce the revenue even further – particularly if publishers are compelled to raise prices in order to try to recoup their costs within a narrower window. If UKRI wishes to achieve 'delayed OA' for monographs, then this must be properly funded through appropriate book processing charges: see our answer to Q40. If 'delayed OA' cannot be funded, then any maximum embargo period should not be less than 36 months.

**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).

According to the British Academy's report *Open Access and Book Chapters (2019)*, for Green OA 'the most commonly stipulated embargo periods are 12 months (sometimes explicitly for science books), and 24 months (sometimes implicitly for humanities and social sciences books).' This is understandable given the typical difference in the time-sensitivity of content between the different sets of disciplines. We therefore believe that it would be appropriate to set maximum embargo periods of 12 months for book chapters in the natural sciences, and 24 months for book chapters in HSS subjects.

**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).

The British Academy's report *Open Access and Book Chapters (2019)* recommended that UKRI should consider developing a 'delayed OA' model for edited collections. But it argued that further research needed to be done on the critical question – the possible effects of different lengths of embargo periods. The British Academy is willing to use its

*Proceedings of the British Academy* series of edited collections to test the impact of different embargo periods. As we have explained in our answer to Q37, we do not believe that a maximum embargo period of only 12 months can be justified, unless it is properly funded through appropriate book processing charges. If 'delayed OA' cannot be funded, then any maximum embargo period should not be less than 36 months.

**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 (question 53).

If an adequate book processing charge (BPC) was available, any monograph could be available as the version of record on day 1 of publication. But we welcome UKRI's invitation to publishers, implicit in this Q40, to engage in an interesting and potentially fruitful conversation about sliding scales of BPCs for different lengths of embargo periods, which may offer UKRI more affordable solutions to achieving 'delayed OA'.

**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).

In many instances self-archiving of the author's accepted manuscript (AAM) may prove to be the most practical way of achieving OA for book content. But this should still be subject to appropriate embargo periods being in place (see our answers to Q37-40). Even though the AAM will lack all the functionality of the version of record, if it is available too early in a book's sales cycle it is likely to undermine those crucial early sales. But the fact that the AAM is a less satisfactory version means that the optimum approach for OA would be by means of the version of record, properly funded (see our answer to Q40).

**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 before answering this question.

We have argued in our answers above that OA for monographs and edited collections should be properly funded. We acknowledge that it is highly unlikely that UKRI or other bodies would be able to make available the appropriate OA funding for the far greater number of books that will be submitted to a future REF – particularly in HSS subjects. Any OA policy for the REF will have to be very different. If there is to be any OA requirement for books, this is more likely to be met through the Green AAM route. The stipulation of a maximum embargo period of only 12 months for all REF-eligible



books would be extremely damaging to the future health of academic book publication. We have previously argued that, in spite of pressures on academic book publication in recent years, monographs and edited collections remain crucial forms of academic dissemination (*Open access and monographs: Where are we now?* 2018; *Open Access and Book Chapters*, 2019). In order not to jeopardise their existence, any stipulated maximum embargo period should be not less than 36 months, and might well have to reach 60 months. But consideration should also be given to identifying appropriate percentages of books submitted to the REF that should have to meet some OA requirement.

**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 welcome the inclusion of -ND as a permissible element in the CC licence for book content. We have argued for this before, in our position statement *Open access and monographs: Where are we now?* (2018); and it is also recommended in the UUK report *Open access and monographs: Evidence review* (2019). See also our answer to Q8.

**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 have argued previously that there should be OA policy exemptions for books requiring significant reuse of third-party materials (*Open access and monographs: Where are we now?* 2018). And we have argued above in our answer to Q33 that all scholarly illustrated catalogues should be included within the list of 'out of scope' types. Acquiring permanent digital rights – even from publicly funded galleries, museums and libraries – remains highly problematic: OA policy would be greatly eased if a more joined-up approach could be agreed across government.

**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).

The redaction of an image or other unavailable material and its replacement by a 'tombstone' is a highly undesirable approach. Particularly in art history and in the

study of 20th-century music and literature, the argument in any book or chapter would be meaningless without the images or texts reproduced alongside.

**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).

‘Significant use’ is not just a question of *quantity*. Any piece of intense analysis or criticism of one or more images or pieces of text, and which relies on the reproduction of those for its argument, should be classed as making ‘significant use’. For example, a book chapter focusing on just one work of art, or poetic text still in copyright, should fall within the definition.

**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 see paragraphs 29-31 before answering this question.

The welcome inclusion within the UKRI policy of -ND as a permissible element in the CC licence for book content should certainly be extended to the future REF policy.

Given the greater numbers of books that will be affected by any REF policy, it should include an exception for REF-eligible books requiring significant reuse of third-party materials – such as highly illustrated books.

**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.

**Publishers do not need to take copyright from authors in order to publish their monographs and book chapters; and increasingly it is standard practice that publishers only seek an exclusive licence to publish. But we do not think this is a matter on which UKRI need have a policy.**

**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).

**We note that 'the policy will apply to in-scope monographs, book chapters and edited collections published on or after 1 January 2024, unless a contract has been signed before this date that prevents adherence to the policy' (para 109): the final part of that sentence is crucial, and we welcome it.**

**Our one caveat is that, before the policy is finally announced, the Research Councils must have made it clear to anyone applying for a three-year grant for a piece of research work how they should budget for any book/chapter processing charges, or how they would be able to access such funding subsequently.**

**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 that might be helpful?**

Yes / **No**.

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

The UK HE funding bodies recognise that due notice will be needed prior to implementation of the OA policy for the REF-after-REF 2021, which will be consulted on in detail after UKRI's OA policy is announced (see paragraphs 29-31). It is therefore anticipated that the OA policy for the REF-after-REF 2021 will not come into effect on 1 January 2021 (that is, at the beginning of the publication period for the REF-after-REF 2021 exercise).

**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).

We have argued in Q42 that, if there is to be any OA requirement for books in the REF-after-REF 2021, this is more likely to be met through the Green route. For this, settling on the right length of embargo period is going to be absolutely crucial for the future health of academic book publication. We believe that the next REF should be used to encourage rather than to require OA publication, and that the opportunity should be taken, in a pilot, to test the impact of different lengths of embargo period over the course of the REF cycle.

**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 have argued that, if UKRI wishes to achieve 'delayed OA' for book content, then this should be properly funded through appropriate book processing charges (BPCs). We acknowledge that there is little prospect of BPCs being supported through the already stretched OA block grant. The AHRC and ESRC both currently allow publication costs for monographs, critical editions and catalogues to be included in grant applications as legitimate 'directly incurred costs'. This, by implication, includes funding for BPCs. It seems to us sensible that BPCs, when needed, should continue to be included in funding applications to Research Councils as eligible costs, and this possibility should be made explicit to applicants.

**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).

**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).

There should be standard identifiers for individual book chapters.

**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**.

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).

**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).

**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).

## 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).

There is no doubt that OA content attracts increased downloads, and this is very desirable. The ideal is that any policy should promote the extended use of OA in a way that is sustainable and does not jeopardise the academic dissemination ecosystem.

**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).

It is important that any OA policy does not damage the future sustainability of hybrid journals, which are such a significant part of the pool of journals available to authors whose work is not supported by Research Council funding. Most HSS authors do not have access to UKRI OA funding. And we are particularly concerned about the position of early career researchers, whose circumstances can make it even more difficult for them to access such OA funding or take advantage of 'read and publish' arrangements. Research-active retired staff and academics not affiliated to institutions face the same problems.

**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).

Content that is available OA does attract increased downloads from readers in LMICs. But an unintended consequence of OA is that authors in those countries may find it even more difficult to be published, as they are less able to fund APCs/BPCs or take advantage of 'read and publish' agreements.

**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.)

We recognise the sense in there being commonality between the UKRI's OA policy and the policy for the REF-after-REF 2021. We understand the advantage of there being clarity in terms of definitions. But the consultation itself draws a welcome distinction between outputs from work specifically supported through Research Council funding, and outputs from work supported more generally through unhypothecated QR funding. In the case of the former, it may be thought that there is greater legitimacy in Research Councils making specific stipulations for dissemination as part of the grant awards – particularly if Research Councils provide the additional resources to meet those stipulations. In the case of the latter, a similar level of stipulations would seem less appropriate – particularly where there is little real prospect of additional resources being made available to meet any stipulations for the much greater volume of outputs that will be submitted to the REF-after-REF 2021. It therefore makes sense that a more tightly stipulated UKRI OA policy should be 'nested' within a more liberal OA policy for the REF-after-REF 2021. We think that this degree of divergence is logical and inevitable, while enabling one co-ordinated set of policies to be framed. It is vital that OA policies are not imposed on the REF-after-REF 2021 which would jeopardise the future sustainability of the academic dissemination ecosystem.

**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).

In the last two years, the British Academy has issued various statements relevant to the subject matter of UKRI's Open Access Review. For convenience, they are listed here:

*Open access and monographs: Where are we now?* A position paper by the British Academy, published 17 May 2018

<https://www.thebritishacademy.ac.uk/publications/open-access-monographs-where-are-we-now/>

*Open Access and Book Chapters.* A report from the British Academy, October 2019

<https://www.thebritishacademy.ac.uk/publications/open-access-book-chapters-report/>

*2020 UKRI Open Access Review consultation.* A British Academy comment, May 2020

<https://www.thebritishacademy.ac.uk/publications/2020-ukri-open-access-review-consultation-british-academy-comment/>

Links to all the British Academy's statements on Open Access (including those on 'Plan S', not listed above) may be found via

<https://www.thebritishacademy.ac.uk/projects/open-access/>

For further information, contact:

James Rivington

[j.rivington@thebritishacademy.ac.uk](mailto:j.rivington@thebritishacademy.ac.uk)