

1. This template provides a summary of the areas on which we are seeking advice. You may use this template to respond with your advice if you would find it helpful.
2. Please send responses to openaccess@hefce.ac.uk by **25 March 2013**.

We welcome advice on our expectations for open-access publications, as set out at paragraph 11.

The purpose of the REF is to evaluate and reward research excellence. It is essential that researchers are able to publish their research where it will have the greatest impact and this is not necessarily or only achieved by publication on an open access basis. However, if the four UK higher education funding bodies are to require the publication of all submissions to the post-2014 REF on an open access basis, then they need to implement this policy flexibly in ways which do not restrict the ability of researchers to publish in the most appropriate publications and which ensure high-quality peer review of that research. It is essential that the policy is clearly communicated to and understood by researchers and that it does not differ significantly from RCUK's open access policy and guidance.

Both the Finch Group report and the government's response, as set out in David Willetts' letter to Dame Janet Finch of 16 July 2012, recognise the different costs and benefits of the green and gold routes to open access. RCUK's draft policy and guidance, yet to be finalised at the point of this response, also differentiates clearly between the gold and green routes to open access, recognising the different cost implications of each and the different terms and conditions of access and re-use potentially relating to each route. We agree that it is not appropriate in the context of research assessment for the funding bodies to state a preference for either the green or gold route, but welcome the acceptance in paragraph 9 that: "...in the long term, the gold rather than the green route may be the most sustainable way to deliver open access." However, the statement in section 12 that: "...the primary objective of this proposal is to stimulate immediate open-access publication" would appear, in our interpretation, to support the gold open access route, which is at odds with statements elsewhere to the effect that the funding bodies have no preference between the gold and green routes; we welcome some clarity on this from the funding bodies.

At present, RCUK's policy diverges from the government's acceptance of the Finch Group's recommendations, to which HEFCE itself is a signatory, on embargo periods for the green access route (i.e. stipulating a six-month embargo period for STEM disciplines), which is regrettable and is a major bone of contention for the Institute of Physics, amongst many others. Given that the rules on the REF are more likely to affect immediate behaviour than those of RCUK, it is therefore vital that the funding bodies explicitly allow embargo periods of up to 12 months for published papers, irrespective of what RCUK decides in its final policy and guidance. In addition, and for the same reason that the funding bodies' policy is likely to have a more immediate effect because no researchers will want their outputs to be ineligible for the next REF, the funding bodies should work closely with RCUK and other funders of research to ensure that there is a viable funding of the model outlined in paragraph 11.

Given the current uncertainty surrounding RCUK policy and the funding model, there is a strong case for the funding bodies to offer a little more flexibility than is outlined in paragraph 11, particularly in the

first year or two of the new cycle.

We welcome further advice on repository use and on techniques for institutional repositories to cross-refer to subject and other repositories.

The role of institutional repositories in “increasing sustainable and convenient public access to research” will be different in respect of the gold and green routes. There will be little if any effective increase in public access where the gold route is used, as access to the accepted manuscript in a repository will be inferior to access to the publisher’s version of record on the publisher’s own website. “Sustainable” public access will only be achieved in respect of the green route if an appropriate embargo period is maintained between first publication and access via the repository.

It is also our understanding that RCUK’s open access policy will require deposit of papers in a subject repository or similar. If the funding bodies require deposit in an institutional repository there is a danger of a duplication of effort and cost in the development and maintenance of such repositories.

While we expect that sufficient clarity and reassurance on embargoes and licences will be achieved through the Research Council discussions, we welcome responses which address these issues.

The great majority of subscription publishers impose embargo periods before a work can be made available in an open access form. The government has recognised that high-quality publishing including peer review is unsustainable without payment to the publisher for the services it provides. Gold open access relies on one form of payment; subscription publishing on another, combined with a period of exclusive access via the publisher.

The funding bodies’ policy on embargo periods for submissions deposited in institutional repositories where there is no payment of an article processing charge (APC), i.e. for green open access, should follow the decision tree. The decision tree has been incorporated in the current revised draft of RCUK policy and guidance and, which in the absence of funding for payment of an APC, sets an embargo period of 12 months for papers in science, technology and medicine and of 24 months for papers in the arts, humanities and social sciences. It is essential that the funding bodies’ policy is clear on these embargo periods and is not too restrictive.

The funding bodies’ policy on licences also needs to take into account the different forms of licence which may be required by funders under the green and gold routes; broader rights of re-use might be required under the gold route in which the funder bears the costs of publication. In recognition of the considerable debate currently under way in the academic community on the desirability and practicality of certain forms of licence, we recommend that the funding bodies take a flexible stance on this.

Finally, we note some confusion in the funding bodies’ policy, as written. Parts of it, for example, the requirement for the deposit of the final peer-reviewed text (usually known as the accepted manuscript), rather than the final published version, is typical of the green open access route whereas the requirement for broad rights of re-use is more typical of gold open access. Such confusion is not helpful. As discussed above, from the position we are in at present, the funding bodies’ rules on

submissions to the post-2014 REF should be as flexible as possible and should not have such conflicting steers. In the longer term, the funding bodies should work closely with RCUK and other funders to ensure a robust common policy with a sustainable funding policy. The UK is in the vanguard of international change and is finding its way; there is absolutely no need to impose inflexible and inconsistent rules on such a short timescale.

We welcome advice on the best approach to exceptions and on an appropriate notice period. Any cases made for exceptions should be underpinned by clear evidence.

Much research in physics, for instance, is conducted by collaborations of researchers from multiple countries with multiple sources of funding. The funding bodies' policy, much alike RCUK's, needs to consider how research emanating from such collaborations might be published. What approach do the funding bodies recommend for addressing collaborations in which the requirements of one funder differ from those of another; or where the requirements of one funder might even be incompatible with the country of another author?

We seek comment on when it may be thought inappropriate to expect repository deposit of monograph text. Alternatively, given the percentage of submitted material which is in monograph form, we ask for advice on whether an expectation of a given percentage of compliance as described above (paragraph 18c) would eliminate the need for a special-case exception for monographs.

It is misleading to state that: "...in many cases monographs are published on the basis that the costs of publication will be met primarily by print copies sold to libraries with the opportunity for immediate deposit of an electronic copy in an institutional repository." While it is true that there are a number of experiments and pilots underway in open access monograph publishing, the dominant model is, by a very long way, the traditional publishing model in which both print and electronic copies are sold or licensed under a purchase model. Furthermore, it is increasingly clear that monograph publishing is moving towards a more or less fully digital model, in which libraries will generally cease to purchase print versions and will instead only license electronic versions.

Since monographs have significant value for research, there needs to be a sustainable model, recognising the considerable input from publishers. APCs may be unworkable, so, within the current policy, it is difficult to see how monographs could be forced to be placed in institutional repositories without damaging the publishing model.

We invite comment on whether respondents feel this is the appropriate approach or whether they feel that sufficient progress has in fact been made to implement a requirement for open data as well. We will consider any representations that such a requirement may reasonably now be developed but would also need advice on how this might be achieved.

The availability of data requires a considerable deal of thought and planning, and there should be no requirement until these issues have been decided. It is most likely that the requirement for open data will be prohibitively expensive to implement with the genuine risk of institutions spending significant amounts of money to no effect.

Among the manifold problems that need to be addressed, include: defining what data are; the collection of metadata (which can be problematic unless there is access to the logbooks used by researchers, and we hope the plans do not include the need to scan the logbooks, etc.), which will require increasing amounts of administrative effort to record and format the data in a consistent manner; sustainable forms of accessibility; how large data sets will be dealt with (e.g. data from LHC experiments, where the UK's share is about 20%, thus, there is a need to maintain 40,000Tb of disk storage and 12,000Tb of tape storage, which equates to approximately £5m in hardware, in addition to the significant power costs); how data from international and business collaborations will be handled; and the confidentiality of data.