

Question 1

Do you agree that the criteria for open access are appropriate (subject to clarification on whether accessibility should follow immediately on acceptance or on publication)? Do you have any comments on this proposal?

The purpose of the REF is to evaluate and reward research excellence. It is essential that researchers are able to publish their research findings where they will have the greatest impact and this is not necessarily or only achieved through open access publication. By introducing a mandate on how research outputs should be published into a process which evaluates quality, HEFCE risks undermining the very quality which the REF seeks to evaluate.

It is therefore critical that any implementation of such a mandate is flexible, sensitive to disciplinary differences and very clearly communicated to researchers. It must not be implemented in such a way as to undermine the freedom of researchers to publish in the most appropriate vehicle for their research. The most sensible general approach would be for HEFCE to allow research outputs that are consistent with the Finch Group recommendations as endorsed by the government and as reflected in the current flexible implementation of RCUK's policy on open access.

We have the following comments on the three proposed criteria for open access publication:

- “Accessible through a UK HEI repository, immediately upon acceptance or publication...”

The drafting of this criterion is ambiguous, as it suggests that publications should be both immediately accessible but that access might be restricted in line with agreed embargo periods. From discussions we have had with HEFCE we understand that the immediate accessibility it requires should be of metadata relating to the publication and not the publication itself. We understand further that HEFCE is not requiring deposit in the institutional repository of the author and that access could be provided in due course from, say, a subject repository or the website of the publisher. This criterion needs redrafting, to reflect the difference between deposit of metadata in a repository and access to the publication via a repository.

- “Made available as the final peer-reviewed text...”

Deposit of the ‘final peer-reviewed text’, often described as the ‘author’s accepted manuscript’, is common under green open access policies and HEFCE’s requirement for this suggests that its policy is essentially favouring a green open access policy and not a gold open access policy, regardless of its statement that “it is not appropriate to express any preference [for the gold or green routes] in the context of the research assessment”. In this case the final peer-reviewed manuscript is the most appropriate to be deposited, in the context of a policy which provides for reasonable embargo periods before the peer-reviewed text is made freely accessible in competition with the publisher’s final published version.

- “Presented in a form allowing the reader to search for and re-use content...”

There is as yet no common agreement between stakeholders, including funders and publishers, on whether a certain form of licence is appropriate under the green open access model. HEFCE is participating in the Green Licences Working Group and it should await the outcome of this group's discussions before making any recommendation on licence terms for final peer-reviewed texts. Any attempt to impose a particular form of licence is likely to restrict the ability of researchers to publish in the best vehicle for their research, as many journals allow no re-use of peer-reviewed texts in competition with their own publication.

On the issue of flexibility in compliance, as addressed in paragraph 26.b of the consultation document, we strongly agree that it would not be feasible to expect full compliance with the criteria at an early stage. We recommend that a low level of compliance is accepted in the initial years of the policy, especially as many of the papers that will be submitted by academic staff in the post-2014 REF will already be in the system.

Question 2

Do you agree with the role outlined for institutional repositories, subject to further work on technical feasibility? Should the criteria require outputs to be made accessible through institutional repositories at the point of acceptance or the point of publication? Do you have any comments on these proposals?

We agree with the proposal that outputs should be accessible 'through' or via institutional repositories, which would enable them to be accessed, after agreed embargo periods, on institutional repositories, subject repositories and publishers' websites. We would urge HEIs to take account of existing access frameworks such as CrossRef's DOIs in looking at technical feasibility and interoperability.

Paragraph 29 of the consultation document again confusingly uses the phrase 'accessible...at the point of publication'. Not all outputs will be immediately 'accessible' on publication.

On the particular point being discussed in paragraph 29, whether deposit (not access) should occur at the point of acceptance for publication or of publication itself, we recommend strongly that it should be at the point of publication. Embargo periods are determined from the point of publication, not from the point of acceptance for publication and the acceptance date does not determine the date of publication. Repositories will need to know the date of publication in order to respect an embargo period of, say, 12 months from date of publication, and they cannot know this from the date of acceptance.

Question 3

Do you agree that the proposed embargo periods should apply by REF main panel, as outlined above? Do you agree with the proposed requirements for appropriate licences? Do you have any comments on these proposals?

We agree that the proposed embargo periods should align with the statements in the government's response to the Finch Group Report (from here on referred to as the 'government's position on open access') and with the policy endorsed by HEFCE itself in the recommendations of the Finch Group.

The government's position on open access is clear that in the absence of funding for payment of gold open access article publication charges (APCs), embargo periods should in general be no more than 12 months in STEM subjects and no more than 24 months in HSS subjects. The government's position on open access allows for shorter embargo periods, of six and 12 months respectively, in cases where a researcher has funding to pay an APC but the researcher's chosen journal does not support the gold open access model.

This begs the question of whether funding is available from HEFCE for the payment of APCs. HEFCE has argued that funding is available to HEIs in the form of its QR block grant allocations, which are not hypothecated, so HEIs can use them to pay APCs. HEIs for their part have argued that QR block grants are already fully committed, in supporting research itself, and that they cannot be used to pay APCs. As noted above, HEFCE's policy, as drafted in this consultation document, is essentially advocating a green open access policy, thus our strong preference is that embargo periods must be set at 12 months in STEM subjects and 24 months in HSS subjects.

We welcome HEFCE's statement that it does not seek to specify a particular form of licence. However, the requirement in paragraph 25 of the consultation document for rights of re-use goes beyond what many publishers will support under a green open access model (which makes no contribution to the publisher's costs). This risks limiting the ability of researchers to publish in the best publications for their research. Such a requirement cannot simply be imposed on other stakeholders and needs much further consideration.

Question 4

Do you agree that the criteria for open access should apply only to journal articles and conference proceedings for the post-2014 REF? Do you have any comments on this proposal?

Agreed. Open access publication is at far too early a stage of development in relation to monographs and books for it to be a requirement for research assessment.

Question 5

Do you agree that a notice period of two years from the date of the policy announcement is appropriate to allow for the publication cycle of journal articles and conference proceedings? Do you have any comments on this proposal?

A notice period of two years from the date of announcement of the policy might appear generous but will have different impacts on researchers in different disciplines. Different disciplines move at different speeds, both in the time taken to undertake research and in the time taken for peer review and publication. For example, mathematics moves at a far slower pace than physics; for mathematicians, the notice period between announcement of the policy and submission of a research paper will effectively be shorter.

This is not to argue for differential notice periods for different disciplines, but for a considerable degree of flexibility in the application of these new requirements and an acceptance of a low level of compliance early on.

Question 6

Do you agree that criteria for open access should apply only to those outputs listing a UK HEI in the output's 'address' field for the post-2014 REF? Do you have any comments on this proposal?

The government's position on open access applies to UK publicly-funded research and it would seem sensible that HEFCE's criteria should apply only to those outputs listing a UK HEI.

Question 7

Which approach to allowing exceptions is preferable?

If selecting option b:

- **Do you agree that the percentage targets are appropriate?**
- **Do you believe the percentage target should apply consistently or vary by REF main panel?**

Do you have any comments on these proposals?

In paragraphs 60 and 61 of the consultation document HEFCE states that "HEIs should find compliance broadly achievable", partly on the basis of "policies set by other funders". HEFCE fails to recognise here that RCUK has different policies in respect of publication under the gold and green open access models. HEFCE's proposal mixes elements from the two models, potentially on embargo periods, given the vagueness of its statements on these in the consultation document, and certainly on licensing terms, where its requirement for rights of re-use sits far more comfortably with the gold model than the green model.

In paragraph 63 HEFCE states that "it would like to set out a policy on exceptions that is sensitive to concerns about burden and about the effect on academic publishing". To be sensitive to the effect on academic publishing HEFCE should make a clearer distinction between gold open access publication, under which the publisher's costs are met by payment of an APC in return for immediate open access with broad rights of re-use; and green open access publication, under which no contribution is made to the costs of publication and under which access is therefore restricted to the author's accepted manuscript after an embargo period with limited or no rights of re-use.

If HEFCE's policy is to be in practice if not in principle green, it needs to recognise the different terms and conditions which apply to green open access. It needs explicitly to follow the government's position on open access and to set embargo periods of up to 12 months for STEM subjects and up to 24 months for HSS subjects, and to refrain from requiring rights of re-use. If it does so, then a percentage target for compliance rising to 70% after a period of time would seem reasonable, though we believe that it should start considerably lower than this. It is highly unlikely that 70% compliance would be achieved in the first year, even after a two-year notice period.