

RCUK Policy on Open Access and Supporting Guidance

Response from the Political Studies Association of the UK

Introduction

1. The Political Studies Association (PSA) notes the importance of a healthy dialogue between the RCUK and all stakeholders in the UK's research community on the issue of Open Access (OA). It regrets the lack of opportunity to engage with the RCUK in the development of its policy in the light of the fact that, to quote from the House of Lords Science and Technology Committee report on the Implementation of Open Access, "RCUK's engagement with academics and publishers in developing its policy appears to have been unsatisfactory". We are thus in a position of being invited to comment on guidance on the implementation of a policy with which we are in almost total disagreement, not least RCUK's preference for Gold OA, the size and allocation of the RCUK block grant, the length of embargo periods, and the licence attached to the Gold model. We find the idea that academics who receive any RCUK funding can only publish their work in "compliant" journals to be incompatible with principles of academic freedom and, therefore, of special concern.

Review of the Policy and Implementation

2. We welcome RCUK's decision to undertake a review of the policy in 2014 but the issues for review specified in the Guidance under 3.13 (iii) need to be extended to cover in full the issues specified in the House of Lords Science and Technology Committee report, namely:
 - Whether different disciplines require different embargo periods, licences and primary models of publication, particularly in the light of evidence gathered about readership and citation half lives;
 - Whether the UK, in stating a preference for gold open access, is moving in the same direction as other countries which are mandating open access (but not necessarily gold open access);
 - Whether article processing charges will adversely affect the number of international authors publishing in UK journals;
 - Effects on the quality of peer review;
 - Impact on the number of international collaborations by UK researchers; and
 - Effects on learned societies
3. The terms of reference of the review, and the composition of the panel responsible for undertaking the review, should be announced well before the end of 2013 and should be open for consultation for a period of sufficient length that the research community can have full confidence in the process. We very much hope that those selected to undertake the review will include independent representatives from the social science and humanities (HSS) communities and not be dominated by those from the life sciences.

4. Similarly the findings of the review should be made publicly available, including all supporting data, and conclusions drawn from the review should be open to full consultation.
5. Finally, as recommended by the Lords Science and Technology Committee, RCUK should “commit, as a minimum, to a further review of the implications of its open access policy in 2016 and an end-stage assessment in 2018”.

RCUK OA Block Grant

6. The PSA has serious concerns that the RCUK OA Block Grant system as already being implemented will fail to stimulate the emergence of a Gold OA market in social science and humanities publishing. Evidence already suggests that institutions are allocating block grants disproportionately in favour of STEM subjects, where Gold OA publications already exist and appear to be viable. In the case of Exeter University the Politics Department of thirty-three academics has been allocated enough money to fund just one APC and in the case of Newcastle University political studies has not been allocated any money at all for APCs. We do not anticipate that social science departments across the UK will have significant access to APC allocations.
7. The requirement that all articles published under the Gold model should be made available using a CC-BY licence will further undermine the development of a Gold market in HSS (see Article Processing Charges below). Yet, the very short embargo periods required by RCUK will pose a threat to existing subscription journals (see Embargo Period below).

Article Processing Charges

8. 3.5 (ii) suggests that RCUK is keen to encourage purchasers of journals such as Research Libraries UK and the Society of College, National and University Libraries to act collectively to manage the level at which journals set APCs. Yet, as indicated above, this is an unrealistic aspiration in HSS given that there is, and will continue to be, insufficient funding within the system for APCs to create a viable Gold market, given that HSS is disproportionately reliant for research funding on a) HEFCE, and HEFCE is not providing any additional funding for APCs, and b) private foundations in the field of social science, which are also not providing funding for APCs (nor even making OA publication a condition of funding). The Association is alarmed at the suggestion that further funds could be diverted from research into the payment of APCs as implied in the comment “it is legitimate, for example, to use funding received through Funding Council QR allocations and fEC indirect costs on research grants to pay APCs” but does not believe that institutions will choose to divert it in such a way.
9. The suggestions in 3.5 (ii) that price should become “one of the factors that is taken into consideration when deciding where to publish” and subsequently in 3.6 (iii) that authors should seek an alternative journal with an affordable “pay-to-publish” option where there are insufficient funds to pay for the APC in the author’s first choice of journal, represent a serious and fundamental erosion of academic freedom. Not only has RCUK specified the need for RCUK-funded research to be published in OA form but it now seeks, within

some very tightly drawn parameters, to further control where UK-based academics can publish. Such prescription is wholly unacceptable and will likely discredit OA policies for HSS academics.

10. Under 3.6 (iii) we suggest changing “where funding for APCs is unavailable” to “if an author does not have access to APCs” to clarify that the issue is not whether an institution has funding but whether the individual has funding. This change should provide authors with a higher degree of individual choice.
11. The administration, monitoring and management of APCs by institutions are likely to swallow up a large proportion of the block grant they receive. We recommend a full impact assessment of the costs of an APC regime is done and are surprised that it has not so far. As the House of Lords Select Committee remarked the absence of sustained attention to cost and benefit in RCUK OA policy is extremely concerning.
12. It should also be noted that the requirement for CC-BY is also likely to have an upward impact on the price of APCs. The Publishers will lose secondary income from commercial re-use which they are likely to look to recover through higher APCs.

Embargo Periods

13. The conditions placed on embargo periods in 3.6 are overly prescriptive and will be almost impossible for RCUK to monitor.
14. RCUK’s guidance on embargo periods in 3.6 is not consistent with Government policy. Rt Hon David Willetts, Minister for Universities and Science, stated in his letter to the House Science and Technology Committee inquiry into OA that “there may even be some cases where a longer embargo period than the 24 months indicated on the Publisher Association’s site may be needed and again the Government’s stated policy position allows for this..”. Our view, given the much longer half life of articles in HSS than STEM subjects, is that embargos need to be of at least 36 months. By way of evidence, the two most downloaded articles in 2012 from the Association’s leading journal, *Political Studies*, were published in 1996 and all but one was published in 2009 or earlier. Similarly, all but two of the ten most downloaded articles in 2012 from *The British Journal of Politics and International Relations* were published in 2009 or earlier. If these articles were made freely available after 12, or even 24 months, it is clear that libraries would have very little reason to subscribe. In April 2012 the Association of Learned, Professional and Society Publishers and the Publishers Association commissioned an international survey of academic libraries to understand how their acquisition policies might be affected by an across-the-board mandate to make journal articles free of charge six months after publication. Only 35% of those surveyed said they would continue to subscribe to all the social science and humanities journals to which they were currently subscribing, 23% said they would cancel subscriptions to all these journals and 42% said they would cancel some¹.

¹ “The Potential Effect of Making Journals Free after a Six Month Embargo”, a Report of the Association of Learned, Professional and Society Publishers and the Publishers Association, May 2012

15. The RCUK guidance remains unclear as to the length and nature of the transition period. On the one hand it states in 3.6 (ii) that it is “working towards enabling a maximum embargo period of six months for all research papers” but on the other it talks about a transition period of five years to achieve compliance with a Green embargo period of 12 months for HSS (see section 2. Compliance of Journals).

Licences

16. The requirement in 3.7 (i) that an article published under the Gold model must be published under a CC-BY licence will, together with lack of funding for APCs, inhibit the development of a Gold market in HSS because many academics in HSS are not prepared to publish under these conditions, since they are unable to protect their intellectual property rights through patents in the same way as those working in many of the STEM subjects. Under CC-BY licences article content can be edited or abridged to such an extent that the integrity of the sources could be compromised and academics could find themselves in a position where their work is quoted out of context by extremist groups or reprinted in anthologies where the context might be offensive to the authors and yet, as long as the work is attributed, they will have no legal recourse to prevent it. Furthermore, in reducing the intellectual property rights of academics based at UK institutions through its demand for CC-BY licences, RCUK will be directly handing commercial opportunities to companies based overseas as it is highly likely that in many non-English speaking territories the content will be translated and repackaged by intermediaries and local publishers and sold for profit without the need to pay authors any royalties.
17. In addition to the concerns listed in 3.7 (iii) should be added the risk of poor translation and the implications for the reputation of UK-based academics overseas. These concerns are all legitimate and require further investigation before RCUK introduces its requirement for CC-BY licences under the Gold model. Legal advice should be taken, and published, on the risks posed by these licences to the intellectual property rights of authors.
18. One of the primary benefits of CC-BY cited by its proponents is that it allows for the possibility of data mining. This may be the case in some STEM subjects but the viability of data mining HSS articles is extremely modest. In any case, most major social science data sets are already freely publicly available.
19. It is worth noting that whilst CC-BY licences might already be required by major funders of STEM research such as the Wellcome Foundation, major funders of social science research such as the Nuffield Foundation and Joseph Rowntree Foundation have no such requirement, in keeping with the fact that concerns about CC-BY are particularly relevant in the social sciences. Perhaps even more notably, these organisations do not stipulate any requirement for the research which they fund to be published according to Open Access principles. Indeed the Leverhulme Trust Board states: **“In keeping with its view that researchers are themselves best-placed to judge how and where to**

disseminate their findings, the Board has resolved to make no stipulations regarding either mandatory archiving, or open access publication”.

20/3/13