

University Alliance response to the REF 2029 Open Access Consultation

Open access developments

4. What are the most important changes in the open access landscape since the development of the REF 2021 open access policy?

There are sustained and growing pressures on HEI's finances (outlined in detail in UKRI's issue paper on research financial sustainability published in November 2023), which are having an impact on library budgets and workloads. Against the backdrop of Article Processing Charges (APCs) persisting as commercial publishers' preferred OA business model, escalating costs and lengthened embargos, an acceleration of research output has seen the volume of Green OA grow at many University Alliance members.

Implementing systems to ensure maximum compliance with Green OA routes is often a costly administrative burden. This can also be the case for Transitional Agreements - Jisc's review of Transitional Agreements in March 2024 (which highlights various concerns about the affordability and sustainability of TAs) found that TAs have incurred additional costs for some institutions due to the need for higher grade staff to administer OA approvals, implement different TA workflows, support authors in understanding their eligibility and in navigating OA options and workflows for different agreements. The review also notes that author behaviour has remained the same since 2016 and UK authors continue to choose traditional publishers to disseminate their research.

Authors and institutions that are more reliant on Green OA routes and Transitional Agreements are not well served by many of the proposals set out in this consultation.

Journal articles and conference proceedings

5. Should deposit requirements post acceptance be maintained where publication isn't immediately open access?

Not sure

There are mixed views on this proposal amongst University Alliance (UA) members. Many members have found that depositing within three months of acceptance for publication is now embedded practice, or at least increasingly well understood, and they will likely retain internal messaging about acting on acceptance, regardless of whether this requirement is removed.

Some feel the administrative burden of monitoring the range of acceptance dates is too high and will welcome the simplification if this requirement is removed, even if they continue to promote the message of acting on acceptance to encourage timely deposits (or act on acceptance themselves if they implement a rights retention policy). However, some UA members are concerned that the proposal for outputs available through repository to be "available within max 1 month post publication in line with UKRI policy" will make compliance more challenging. For smaller teams, the risk that the one-month window could be interrupted by staff absences or holiday periods adds greater pressure.

We do not have a consensus position on whether deposit requirements post acceptance should be maintained, but if the policy is changed it would be helpful if the funding bodies could consider how the guidance could still encourage the practice of acting on acceptance and emphasise the importance of timely deposits.

6. Do you agree with alignment to the UKRI open access policy in respect of licensing for journal publications by requiring licensing terms equivalent to CC-BY or CC-BY-ND licensing for journal publications?

No

What, if any, negative or positive impacts might there be from this change?

We are concerned that alignment to the UKRI open access policy in respect of licensing for journal publications does not sufficiently consider the implications for outputs that weren't UKRI funded. For example, removing the option of CC-BY-NC-ND licenses for unfunded research and requiring all research articles to be published with a license that allows unlimited commercial reuse could cause issues with, or limit, future commercial exploitation of outputs by the institution. This could force

institutions to choose not to submit high quality output to the REF because they wish to protect its potential for commercialisation.

If an institution has implemented a rights retention policy, they will be in a better position to implement the proposed requirements, but there are usually still opt-out measures in place. According to Jisc, as of December 2023 only 50 institutions have rights retention policies in place or have publicly announced their intentions to adopt one.

There is a risk of significant negative impacts unless some publishers change their policies, which would disproportionately affect institutions that rely more heavily on Green OA routes. It could be that an updated REF policy prompts or accelerates changes by publishers, but this seems highly unlikely to happen by January 2025, if at all. There are major publishers that do not have an Author Archiving policy that permits institutions to release Accepted Manuscripts as Green OA with a CC-BY or CC-BY-ND licence. There are also still some publishers and journals who do not allow the articles they publish to be licensed with a CC-BY or CC-BY-ND licence, or who require a higher OA fee to do so. Compliance with the REF 2029 open access policy should not further exacerbate financial challenges and inequalities in the HE sector by providing an advantage to institutions that can afford to pay fees for compliant CC-BY licences through Gold OA.

In addition, Transitional Agreements with some major publishers allow researchers to select Creative Commons licences that are not compliant with the proposed REF 2029 open access policy. Authors should not find themselves in the position of publishing their work as Gold OA, only to find that the licence they were offered through a nationally negotiated agreement is not compliant with the REF. If the funding bodies move ahead with requiring licensing terms equivalent to CC-BY or CC-BY-ND for REF, the implementation should be coordinated with Jisc to align with the timing and content of the renewals of Transitional Agreements.

7. Do you agree with recognition of alternative platforms as meeting open access requirements as primary platform for publication?

No

Please provide any further comment

Without wishing to discourage innovation in Green OA (as an example, it could be that the changes eLife is making to its business model mean it would be considered an alternative platform rather than a journal in future), there is not enough information and too many potentially negative consequences to support this for REF 2029.

Recognition of alternative platforms as meeting open access requirements would complicate open access policy for institutions and authors alike by making the monitoring and reporting of OA compliance more complex and less predictable (thus adding significant administrative burden to those institutions that rely more on Green OA routes), with the added potential for misunderstandings if authors are depositing their work on alternative platforms independently of the support offered by the institution. Some UA members have already found that alternative platforms can create significant confusion about the versions of outputs that are hosted on them, particularly for early career researchers.

In addition, this could potentially expose Green OA routes to the same negative effects of monetisation seen in Gold OA routes if commercially-run alternative platforms begin to aggressively market their services to researchers on the basis of REF compliance.

8. Do you agree with the proposed changes to embargo periods for journal publications for main panels A and B (12 months reduced to six months) and main panels C and D (24 months reduced to 12 months) in light of changing standards and practice?

Not sure

What, if any, negative or positive impacts might there be from this change?

The positive impact of the proposed changes to embargo periods for journal publications will only be realised if publishers widely adopt these shorter embargo periods in their Author Archiving policies. Few journals from major publishers currently have this in place and unless this changes by January 2025, which seems highly unlikely, it will negatively impact authors at institutions that rely more on Green OA routes. If the implementation date for changes to the open access policy were to be delayed, this would give publishers more time to adjust their Author Archiving policies (one of several

reasons why a delay is necessary) at which point the proposed changes to the embargo periods could be implemented to positive effect.

9. Do you consider that tolerance limit for articles and conference proceedings should be retained at 5% of any submission?

Yes

10. Do you agree that changes to the open access policy for journal-based publications should be implemented from 1 January 2025?

No

Please provide any further comment

In our answers on questions about licencing (6) and embargo periods (8) we have outlined reasons why a lack of alignment with publishers' policies, which are highly unlikely to change by January 2025, will disadvantage authors and institutions that rely on Green OA routes and those without a rights retention policy already in place. The funding bodies and Jisc should also be working together to ensure that only REF compliant licenses can be chosen through renegotiated Transitional Agreements and that the policy implementation date aligns accordingly.

The implementation date should be changed to at least January 2026. The basis for deciding the implementation date should be allowing sufficient lead-in time (ideally 12 months) for publishers, Current Research and Information Systems (CRIS) providers, repository providers and institutions to make changes and adapt (including putting in place robust communications and support mechanisms within institutions to help authors understand and meet requirements).

11. Do you agree with the proposed exceptions for journal publications?

No

What, if any, additional exceptions might be required?

The 'other exception' from REF 2021 should be retained, but clarity is needed on whether/at what point use of this, or other exceptions, will be considered a trigger for an audit. The exception from REF 2021 that the output was not deposited within three months of acceptance date but was deposited within three months of the earliest date of publication, should also be retained.

If alignment with UKRI policy with respect to licensing is implemented, there should be an exception to allow for scenarios where it is not possible or appropriate to apply a CC-BY or CC-BY-ND licence (e.g., conflict between co-authors on the type of license), provided that another Creative Commons licence or 'open' license is used instead.

Longform outputs

12. Do you agree that there should be no deposit requirement for longform publications, but that they should be made immediately available as open access upon publication (or no later than 24 months following publication if subject to an embargo)?

Not sure

As with the deposit requirement for journal articles and conference proceedings, there are mixed views amongst UA members on longform outputs. There is an acknowledgement that confirming the acceptance date of long-form outputs is often different and more challenging than journal articles, and some support for the potential of this policy to reduce administrative burden. However, there are also concerns about the potential for authors to move to a different institution within the 24-month period, which could make it nearly impossible to obtain the requisite file, and that without the drive to act on acceptance, there could also be non-compliance through author accident or negligence.

13. Do you agree with the proposal of a maximum embargo period of 24 months for longform publications?

Yes

14. Is licensing for third party materials not being granted a reasonable ground for exemption from Open Access requirements?

Yes

15. Is sharing of a version of an output without third-party materials if licensing can't be obtained, mirroring the UKRI open access policy for longform outputs, appropriate to meet the open access requirements for REF 2029 policy?

Not sure

What issues does this present for output submission and assessment?

There are mixed views on this proposal amongst UA members. Some feel that if licensing can't be obtained, it is still better to have a version of the output available through open access (for example, some information could be better than none for those that are considering whether to purchase an output to access the third-party materials). Some also feel that concerns about removing third-party materials degrading an output are negated if the OA version is not used for assessment and REF panels read and assess the final published version.

However, there are serious concerns that if an author has included third-party materials, most of the time this means it is integral to the value of the output and that REF policy should not be endorsing the concept of an open access output being a 'lesser' work than the commercially available version. There are also concerns about the disproportionate impact on subjects in Panel D.

16. Do you agree with the principle of a tolerance level for non-compliant longform outputs?

Yes

17. Do you agree with the proposed tolerance level of 10% for longform outputs?

Yes

18. Do you agree with the proposed date for implementation of an open access policy for longform outputs in REF 2029 being for all longform publications for which contracts are agreed from 1 January 2026?

Not sure

Please provide any further comment

There are mixed views on this proposal amongst UA members. There is some support for moving the implementation date to July 2026 and adopting an approach that includes a minimum lead-in time of 18 months to ensure that if REF decision-making timelines are delayed, the implementation date is revised accordingly to allow time for all stakeholders to adapt. Publishers will need to respond to the policy and there are concerns that a January 2026 implementation date does not allow sufficient time for this given the proposed requirements of the REF open access policy are much more advanced than what publishers currently allow (particularly for Green OA through their Author Archiving policies).

Some feel that it would be better to signal a good direction of travel for the next assessment programme (by setting an implementation date which, combined with the 24-month embargo, would mean the policy doesn't apply to any outputs submitted to REF 2029) whilst allowing more time for publishers to consider and act on the implications. However, others feel that if the implementation date allows for a small submission window for REF 2029, it will be helpful to have this period in place as a 'soft launch'.

19. Do you agree with the proposed exceptions for longform publications?

No

Are there other exceptions you think are necessary for longform outputs?

The 'other exception' from REF 2021 should apply to longform outputs, but clarity is needed on whether/at what point use of this, or other exceptions, will be considered a trigger for an audit.

The first exception should be amended by to say, "the most appropriate publisher" (rather than "the only appropriate publisher", which is unlikely to be the case expect for a very small number of outputs) to bring this into alignment with other exceptions in REF 2029 and REF 2021. This exception should also be amended to add "an open access option that complies with the REF policy and does not require an open access fee to be paid" to avoid an interpretation that it can only be used when both the publisher's Gold and Green OA routes are not compliant. If a publishers Green OA route is not compliant, many institutions will not be able to afford the high cost of the Gold OA route.

Greater clarity is also needed on what constitutes "liaison and consideration" with the only appropriate publisher (or ideally "the most appropriate publisher"). For example, would an institution need to prove

that it has liaised about every individual relevant chapter in a single book, or would an answer from the publisher on one chapter suffice as being applicable to the rest of the chapters in that book?