**Open access and submissions to the REF post-2014**

**HEFCE Call for Advice, March 2013**

**Response from the Royal Historical Society (RHS)**

Summary: **We recognise and appreciate that this document acknowledges many of the concerns expressed by Humanities and Social Sciences (HSS) representatives. There remain some areas where we think that OA policy is still being driven by assumptions that are appropriate to STEM but not to HSS. These misplaced assumptions are likely to result in policy that creates incentives to act in ways contrary and/or detrimental to its aim, which we all share, of greater open access. We identify these areas and explain them further below, with particular reference to: i) the situation of ECRs; ii) embargo periods; iii) academic freedom; and iv) intellectual property. Please see page 6 below for a summary of the differences between journal publishing in HSS and STEM subjects, drawn from the Mellon Report of 2009. We start by outlining one serious general concern about the proposed linkage of OA policy to REF, then respond to HEFCE’s specific questions in turn.**

General concern**: The national and international credibility of the Research Excellence Framework could be seriously undermined by attempts to conflate the purpose of the REF (assessment of the quality of research) with the goal of extending OA. It is wrong in principle, and will be administratively burdensome in practice, to confuse quality with availability. REF2014 has rightly made much of its commitment to identifying excellence wherever it is to be found, laudably ignoring dubiously-derived “rankings” of journals in league tables. A prescriptive policy for future REFs about which journals are acceptable on the grounds of their OA policy, as envisaged here, sharply contradicts that principle. HEFCE has repeatedly stated its commitment to ensuring that assessment of research outputs should be on a fair and equitable basis, but this will no longer be possible given that not all HEIs will have access to funding for OA. HSS subjects are likely to feel the effects of this more acutely than STEM, given that QR funding is more important for those subjects. Certain types of researcher (those who are post in HEIs which have OA funds) will be privileged over ECRs and those in HEIs without OA funds. There is a severe risk of entrenching inequalities between HSS and STEM, among HSS disciplines, between different HEIs and among individual researchers.**

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

**As formulated here, the policy does not take sufficient account of the realities of the HSS job market. Many HSS scholars, especially in the crucial early stages of their careers, have no institution, or are moving between institutions, or are on teaching-only contracts (many of which are very short-term, 6 months or less), and will have no institutional repository into which they can put their output on publication. A recent survey by History UK confirms that most early-career historians are publishing journal articles before or between posts. The same difficulty applies also to overseas scholars who move into a UK job in the middle of the REF cycle and who will submit to REF, but who cannot be expected to have conformed with HEFCE policy prior to their arrival in this country. The policy is based on the mistaken assumption that the institution is the unit of research whereas in HSS it is the individual researcher.**

**The decision, set out in paragraph 12, to disallow from post-2014 REF work any work that was originally published in an ineligible form, can only arise from assumptions that apply to STEM subjects but not to HSS. The implication must be that any one researcher can select 4 outputs from a long list, whereas the fact is that many HSS publications are based on years of research and writing, so that the demand for 4 outputs is already taxing. For the reasons set out above, the conditions under which most ECRs have to work in order to gain the necessary teaching experience and research profile to land a permanent academic job would make this requirement to produce the required number of OA publications, not just the required number of publications, exceptionally burdensome.**

**ECRs will also be disproportionately disadvantaged If significant numbers of subscription-based journals are forced to close by too hasty an implementation of OA policies. There are acute pressures on ECRs to publish quickly, particularly towards the end of a REF cycle. This means that it is riskier for them to try to publish in the most competitive – and prestigious -- journals, because of the long periods between submission, acceptance and publication. They therefore need other options, as do many other researchers, given that the most reputable journals accept only around 10% of their submissions. The diversity of the HSS research landscape is a fundamental aspect of its enduring success.**

**We are also concerned about deposit of text that is not the final publication text. This practice may make sense in STEM subjects where it is the data (which remains stable) that is the priority. But in HSS it is normally the text itself which matters, and which becomes the standard for quotation, citation, etc. For this reason, we consider it vital that the deposited item should be the same as the item in print, i.e. edited and formatted. But this will require embargo periods that can sustain a moderate flow of subscription income to the journals (please see 3 below).**

**‘Re-use’ is used here ambiguously. If it were only a question of resource discovery – i.e. download and searching – there would be no problem; HSS scholars are indeed more open to this than many STEM researchers. But see below re licenses.**

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

**As per 1 above, this will require institutions to migrate their new employees’ outputs from other repositories or no repositories at all, so they should not be expected to warrant that all outputs were deposited “immediately” on publication.**

3. 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.

**RCUK policy, as set out in its latest policy document (6 March 2013, 3.6, Embargo periods), is deeply problematic in its lack of consistency, its disregard for academic freedom and its lack of understanding of how financial incentives operate on the ground. It seems inadvertently to encourage HEIs to deny APC funds to HSS articles (by saying that if insufficient funds are available to pay an APC, a 24-month embargo will be allowed). Moreover, there is a clear contradiction between the RCUK claim that ‘the choice of route to OA remains with the author and their research organisation’ (3.6, iii) and ‘institutions should work with their authors to ensure that a proper market in APCs develops, with price becoming one of the factors that is taken into consideration when deciding where to publish’. In other words, in theory you can publish wherever you like but in practice you will have to persuade someone to pay. Inequality of access to published research is thereby replaced by inequality of opportunity to publish research -- hardly a step forward. There are dismal implications for the all-important principle of academic freedom, to which people increasingly pay lip service while failing to think through what its preservation actually requires in practice. There are also likely to be severe consequences for the quality of UK research publications in HSS, as the most distinguished journals, their reputations based on years of establishing credibility for high standards of scholarship, are undercut. Competition is healthy if it is fair, but it is neither fair nor healthy for the HSS disciplines for long-established, distinguished, resource-intensive research publications to be compelled to compete on the costs of production when they have long measured their competitive position by means of the quality of product. Nor is it fair to talk about a market in APCs when current models do not take into account the fact that peer reviewing is conducted on a reciprocal basis in a spirit of professional responsibility, in other words: FOR FREE. Please see the 2009 Mellon-funded report (reference on page 6 below) for evidence that profit margins on HSS journals are relatively low but their costs of production are high, so that squeezing profit margins is more likely to affect editorial services and peer review than for STEM journals. This is not to say that alternative models cannot be developed, but i) time to do so is required; ii) such models need to be based on RELEVANT evidence, i.e. evidence from HSS not STEM publications; and iii) international coordination is required.**

**The most established and internationally recognised History journals in the UK have done some preliminary modelling and calculated that a 36-month embargo period would be necessary to ensure their viability. It would be prudent to start there and carefully monitor the effects on HSS journal subscriptions before shortening the term, not least because there are signs that all is not going well in the world of STEM OA, raising questions of cost and sustainability that are bound to cause acute anxieties in the far less-well-funded environment of HSS.**

**As yet there is very little evidence about the effects of OA policies of any kind on the economic viability of HSS journals. The best available is the already-mentioned Mellon-funded report of 2009. Please note that the PEER Report of 2012, which is often cited by those who argue that the risks to the subscription model are exaggerated, ONLY COVERS STEM JOURNALS (in Europe). Its conclusions are not applicable to HSS publishing, for which new independent research needs to be commissioned. The PEER project, which brought together funding agencies, publishers, learned societies and university libraries, “to investigate the effects of the large-scale, systematic depositing of authors’ final peer-reviewed manuscripts on reader access, author visibility, and journal viability, as well as on the broader ecology of European research” from 2008 to 2012, is the kind of evidence-gathering that needs to be done for HSS (http://www.peerproject.eu/reports/#c20).**

**We urge HEFCE to take a lead in ensuring that such work is undertaken for HSS journals as a matter of urgency.**

**On licensing: The terms of the CCBY license with regard to ‘re-use’ are highly ambiguous and do not clearly forbid the mixing of original and new material without specific demarcation between the two. CCBY asks the re-user to indicate *that* the work has been adapted but not precisely *how*. Our legal advice is that the terms are at least open to the interpretation that it is enough to say, X is a translation of Y, or A is an adaptation of B, without indicating how, to what extent and in what precise ways adapted. For long works, which are common in HSS, comparison with the “original” text is very time-consuming (as experience of trying to detect student plagiarism shows) and in the case of translation it is often impossible. RCUK was made aware of disagreements over the legal interpretation of CCBY at the ministerial roundtable on 12 February 2013. It was understood at the end of that meeting that RCUK would consider these disagreements before finalizing its guidance. It is a matter of great disappointment that RCUK has failed to do this, as its guidance has been issued without any further discussion. We urge HEFCE to take the lead in ensuring that a clear, consistent policy is developed, in full consultation with HSS scholars.**

**For HSS scholars, the forms of words we use are something more than just ‘data’ – they are the result of creative interpretation and analysis. They constitute a significant element of the intellectual property that is currently covered by copyright and for STEM research is still covered by patent law. We do, therefore, want the integrity of our prose to be respected by re-users and at present we think that the**

**CCBY NC ND license, which is the most widely used CC license, is probably the best model for HSS publication. Nothing would prevent those who wished to adopt a more generous license from doing so. The RHS is organizing a meeting with Wellcome and others next month to discuss what kind of license can best achieve OA while respecting the distinctive features of HSS research. We hope that, with the public interest served by free and universal dissemination of the original, it should be possible to preserve some protections for the intellectual property of the author, especially as scientists are accorded patent protection, which no public funder has questioned as yet.**

4. 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.

**ECRs should be exempt -- and ECR should be more generously defined, e.g. 5 years from PhD, for the reasons given at 1 above.**

**Publications in international journals should be exempt, because such publications are a crucial element in building up the kind of international reputation upon which the UK’s research reputation depends, especially for scholars working on other cultures. None of the top historical journals in Europe or the United States would be compliant with current OA policy and our enquiries inform us that they do not intend to become so: e.g. *Historische Zeitschrift*, *Annales*, *American Historical Review* and *Journal of American History*.**

**Beyond that, it is likely that option b (case-by-case scrutiny following guidelines) would be the only way to cover all the different types of exception that will be required.**

**It is hard to offer substantial ‘clear evidence’ for exceptions given that there is very little evidence about the probable impact of any of these policies on HSS subjects**

**(see response to Q3, above).**

**It is vital that any policy adopted preserves the longstanding RAE/REF principle that ‘all types of research and all forms of research output across all disciplines shall be assessed on a fair and equal basis’.**

**The whole business of dealing with exceptions is likely to prove very time-consuming, for researchers themselves, their institutions and everyone involved in the REF assessment. It is wholly contrary to the stated aims of a light-touch administrative burden for REF.**

5. 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.

**The document itself says that the time is not ripe and RCUK policy excludes monographs. Given the high level of uncertainty across the research publishing landscape, it strikes us as very unwise to pursue it now. We recommend exclusion of monographs from the requirements for the next REF.**

**HSS scholars are all too aware that as the publishing landscape changes, monographs are bound to be affected, but the problems of ensuring the highest standards of scholarship through peer review, editorial work and copy-editing are the same as for journal article publishing, writ large. Work to identify solutions has already begun and will be taken forward in various fora, e.g., the JISC conference at the British Library, 1-2 July 2013. We hope that HEFCE would see its role as being to support and encourage such initiatives to develop sustainable models so that greater OA can be achieved alongside protection of the UK’s world-leading research base in HSS.**

**Furthermore, given the uncertainties affecting all book format publishing, we argue that all such publications should be exempt from OA requirements for the REF, because a high proportion of HSS output in published in collections of articles that are not monographs but appear in book format e.g. edited collections or scholarly editions.**

6. 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.

**As the confusions over OA even applied to HSS publications are so great, it seems over-ambitious to raise the question of ‘open data’. This is once again a policy modelled on STEM practice where there is often a body of data closely related to the text of the publication. HSS data does not often take this form. Again, the commissioning of research in this area would be advisable, taking special care to include wide representation of HSS expertise, more so than on the Finch Commission.**

7. Any other comments.

**We would still like to see an explicit (rather than, as in this document, implicit throughout) acknowledgement that Green OA is likely to be for the foreseeable future the preferable and most sustainable model for many disciplines, if academic freedom and quality are to be maintained. Therefore policy and policy statements should reflect the parity of Green and Gold OA.**

**Peter Mandler, President, Royal Historical Society**

**Nicola Miller, Vice-President (Research Policy)**

**Ten Key Differences between HSS and STEM journals**

HSS data from Mellon-funded report on “The Future of Scholarly Journals Publishing Among Social Sciences and Humanities Associations”, 2009. The author surveyed

8 leading journals from US learned societies covering History, Anthropology, Religion, Modern Languages, Political Studies, Sociology, Statistics and Economics. It is the best evidence available for HSS at present.

Full report: <http://www.marywaltham.com/JSPfulltextarticleApril2010.pdf>

Summary: <http://www.marywaltham.com/HSSPilotStudyLPApril2010.pdf>

STEM data from JISC report of 2005, sample of 11 UK and 2 US journals.

**1. Percentage of articles submitted that are published: 11% HSS; 42% STEM**

**[i.e. costs per published article of administering peer review far higher in HSS]**

**2. Frequency of publication: HSS 4-6 issues p.a.; STEM 12 or more p.a.**

**3. Speed of publication: HSS not critical to success, can be 1-2 years or more;**

**STEM often a critical success factor (56 days achieved)**

**4. Half-life far longer in HSS (10 years or more) than in STEM (usually 1-2 years).**

**This affects whether a journal would lose subscribers and revenue by offering open access after an embargo period of a certain length.**

**5. Peer-reviewed: non peer-reviewed pages: HSS 62:38; STEM 95:5**

**[i.e. HSS journals publish a good deal of material – book reviews, debates, “state-of-the-art” surveys of a subject – that will not be covered by APCs and which drive up**

**overall production costs]**

**6. Article length HSS Average: 19 pages (2007); STEM Average: 10 pages (2004)**

**7. Journal prices are much higher in STEM than in HSS.**

**8. Much more STEM research is funded and government-funded than HSS research.**

**9. In many science disciplines, the cost of research is greater than the cost of publication; the reverse may be true in HSS.**

**10. Journal articles are the primary literature in STEM fields. In HSS, journal articles tend to report on the history and interpretation of the primary literature, which is often in books.**