

## Open Access

October 2013

### INTRODUCTION

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The Royal Historical Society is the principal learned society in the UK representing historians and historical research. We have taken a close interest in the Open Access initiative and are eager to help develop policies in this area that are suited to our discipline and its traditions of academic freedom and quality, while ensuring the maximum possible public access to scholarly publication. We are grateful for the opportunity to respond to this consultation, and we are particularly sensitive to the efforts that HEFCE has made to respond in formulating its proposals to concerns from the HSS disciplines, based on the RCUK initiatives which appeared to us too narrowly modelled on STEM practices and experiments. We are glad to see acknowledgement, implicit or explicit, of specific concerns about international journals, licences and monographs, and above all recognition that the 'transition to Gold' articulated in the RCUK policy will not work for many HSS scholars who lack firm institutional bases and sources of funding for APCs. There remain some areas of ambiguity or anxiety and we trust that our contribution to this consultation will help HEFCE address them.

#### 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)?***

DISAGREE

Do you have any comments on this proposal?

We welcome the emphasis on Open Access through HEI repositories, but we would repeat earlier concerns that in HSS disciplines many early-career researchers (and indeed other active researchers) lack stable institutional ties. Where should a postdoctoral researcher without an institutional employer deposit their work? What assurances can be offered a researcher who lacks an institutional repository at the time of publication but is later employed by an HEI that their subsequent submission to the REF will not be jeopardized? It will not be sufficient, unfortunately, to mandate 'equality and diversity' for OA if the policy adopted has the effect of undermining equality and diversity. We think that HEFCE is not always fully conscious of the unintended consequences of its stipulations for REF, which cannot be covered by 'equality and diversity' mandates.

We would argue that the policy for deposit of 'final peer-reviewed text' does not go far enough. In our discipline the 'publisher's edited and formatted version' is the version of record, used for quotation and citation, and Open Access should extend to this version. If HEFCE wishes to protect publishers' interests in maintaining an income stream from a moderate and responsible subscription charge, the way to do this in our view is to afford some flexibility on embargo periods, rather than to encourage the proliferation of multiple versions of publications. Such flexibility would acknowledge, too, that the half-life for download and citation of HSS articles is longer than the half-life for STEM articles – perhaps as much as 5-10 times longer in the case of citation – and that a longer embargo period for HSS articles might still represent more Open Access than a shorter embargo period for STEM.

We appreciate HEFCE's delicacy in formulating its policy with regard to licences, and its decision not to mandate a particular licence. We are strongly in favour of re-use of content by download and text-mining, and we think the CC-BY NC ND licence, the most popular of the widely used CC licences, is the best vehicle for enabling this type of re-use. It will be important to reassure HEIs about the full range of licences acceptable under the provision for 'proper attribution under appropriate licensing'.

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### Question 2

***Do you agree with the role outlined for institutional repositories, subject to further work on technical feasibility?***

AGREE

Should the criteria require outputs to be made accessible through institutional repositories at the point of acceptance or the point of publication?

PUBLICATION

***Do you have any comments on these proposals?***

As above, we applaud the emphasis placed on institutional repositories but we think it is important to clarify the form that Open Access should take for researchers who are not employed by an HEI at either acceptance or publication, such that their publications are still eligible for the REF at the census date when they are so employed. We would welcome proposals for subject-based repositories and we would be happy to participate in such a scheme should the assistance of learned societies be thought helpful.

Consistent with our position that OA should be based on the published version of record, we recommend that the criteria require outputs to be made accessible at the point of publication (subject to embargo).

### Question 3

***Do you agree that the proposed embargo periods should apply by REF main panel, as outlined above?***

AGREE

**Do you agree with the proposed requirements for appropriate licences?**

NEITHER AGREE NOR DISAGREE

***Do you have any comments on these proposals?***

We respond in the main to these issues under Question 1 above.

We think that RCUK came to its decisions about embargo periods without sufficient consideration or time for experimentation. The effects of short embargo periods on HSS journals are difficult to estimate. The recent BIS

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Select Committee report says that there is 'no evidence' that short embargo periods will harm HSS journals, although 2009 and 2012 surveys by Mellon and ALPSP suggested that there was. But the truth is that there is no hard evidence either way because there has as yet been little HSS content on open access in the leading journals. It would seem to us prudent to start with longer embargo periods and draw them in over time. Particularly if journals are to be supported not by APCs but by moderate subscription charges, it is crucial that embargo periods not be set too short in the first instance.

That said, differentiation of embargo periods by REF panel offers more sensitivity to inter-disciplinary differences than the RCUK policy which (grudgingly) offers only a crude STEM/HSS differentiation.

On the question of licence, we appreciate HEFCE's intention not to follow RCUK's precipitate decision to impose particular licences on HSS scholars without full (or indeed any) consideration of the different ways in which these licences will be used and regarded in different disciplines. Most of the parties involved in Finch and subsequent discussions in 2012 have now acknowledged that the issue of appropriate licences for HSS publication remains unfinished business. Indeed, a number of issues were raised at a seminar that we organized with the Wellcome Trust in April 2013 at which all parties were represented, but little progress has been made on resolving these issues – to the contrary, some of them seem to have only become further encrusted in mutual incomprehension and myth-making. We would welcome any attempts by HEFCE to resolve these confusions, but any such attempts need to be transparent, with full and representative participation of all stakeholders. In the meantime, it remains difficult wholly to endorse HEFCE's commendable attempt to keep things clear and simple, when terms such as 're-use', 'text-mining', 'proper attribution' and 'appropriate licensing' are all still contested.

#### 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?***

DISAGREE

***Do you have any comments on this proposal?***

Clarification is necessary as to the scope of publications to be covered under this policy. 'Conference proceeding' is a term of art that has very different meanings in STEM and HSS disciplines. In our discipline, 'conference proceedings' are normally published as edited volumes (print, often not available electronically), and thus they constitute books rather than articles; they should be explicitly excluded from this policy, which should be confined to journal articles (at least as regards HSS disciplines).

For all the recent discussion about STEM/HSS differences, it is disappointing that crucial terms such as 'conference proceedings' continue to be used in STEM-exclusive senses.

#### 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?***

AGREE

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### *Do you have any comments on this proposal?*

The two-year notice seems adequate for the current publication schedules of most of our journals, where a year to eighteen months is a normal lapse between submission and publication. But see below under exceptions.

### 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?*

NEITHER AGREE NOR DISAGREE

### *Do you have any comments on this proposal?*

This seems a sensible way of addressing the problem of scholars who migrate into the UK system from abroad. It does not, however, fully address our concerns about early-career researchers, who sometimes use an institutional address without institutional employment.

### 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 our view this is the most difficult part of the policy to judge. The principal problem from our point of view is that many of the leading international journals in our field have already declared against Open Access policies (in large part because of the threat of Gold policies sadly stirred up by the UK government's response to Finch). It is imperative that UK scholars not be discouraged from publishing in what will remain some of the most important outlets for historical scholarship in the world.

In general we are against percentage targets because they encourage institutional interference in individual academics' publication decisions – and (see above under unintended consequences) they may have discriminatory effects on the employment prospects of scholars with unorthodox and/or international publication patterns where OA opportunities are fewer. On the other hand, a 60% target for our panel (D) does not seem terribly onerous given the likely range of Green OA opportunities that will be open to our scholars by 2016.

On balance, we favour a policy of case-by-case exceptions. These should be set and adjudicated at panel or, ideally, at sub-panel level (as in the double-weighting for books in the current REF). For example, it will be necessary to provide for exemption of early-career researchers and others who did not have access to an institutional repository at the time of acceptance or publication. Further, it will be important to exempt journals published in countries that do not yet have an extensive online culture of publication (which will be particularly important for historians of those countries who wish to publish in their area of study). More difficult will be journals published in countries that have an extensive online culture but remain hostile to OA. Unfortunately, this

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includes the United States (where humanities scholars are rarely if ever under the US government mandates for scientific research often cited as evidence for the spread of OA there).

But our concern is that both of these approaches will engender fresh waves of institutional regulation, similar to the regulation of publishing practices that we have already witnessed under RAE/REF – which, whatever the REF criteria specify, leads to game-playing, risk-aversion and misguided over-control that are seriously distorting academic hiring, promotion and publication patterns.

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