

October 2014

INTRODUCTION

The university funding councils led by HEFCE have recently announced their policy for open access that will apply from 2016 for journal articles that are submitted to the next REF (expected in 2020). This policy will apply to all journal articles – but not to other forms of publication, including chapters in edited volumes or monographs – authored by researchers who are employed by a UK university at the time of publication. Making allowance for the much wider range of researchers covered by this policy than by the research-council policy (see our Information Sheet for Historians on the RCUK Open Access Policy), it is a more liberal policy that allows a number of important exceptions and exemptions. If you are funded by AHRC or ESRC, you are bound by the more stringent policy. If you are not funded by AHRC or ESRC (or the Wellcome Trust, which funds history of medicine, and has a policy of its own), this information sheet applies to you if you are employed by a UK university and wish your journal articles to be eligible for submission to the next REF. The full HEFCE policy can be found at http://www.hefce.ac.uk/media/hefce/content/pubs/2014/201407/HEFCE2014_07.pdf, and some helpful FAQs at <http://www.hefce.ac.uk/whatwedo/rsrch/rinfrastruct/oa/faq/>.

What do I need to do to ensure that my articles are eligible for the next REF?

1. At the point when your article has been accepted by a journal (i.e. after peer review, and possibly after revisions have been accepted), you should immediately upload the accepted manuscript to your institution's digital repository. There is a tight three-month window after acceptance within which this deposit must be made. Upload into the repository does not make your article open access, but it makes it 'discoverable' – that is, searches should be able to locate it. There is no reason not to do this, starting now, even though the policy doesn't kick in until 2016 – we should all get used to doing so. If you are not employed by a university at the time of acceptance, you don't need to deposit your manuscript anywhere. But if you are subsequently employed by a university, it would be wise to deposit any manuscripts accepted since 1 January 2014 (which will be eligible for the next REF) once you've taken up your new employment.

2. When you upload to the repository, the repository software should ask you under what terms you are able to make it accessible. You'll need to know answers to the following questions:
 - i. Does your journal permit open access at all? Your journal will be able to tell you this. Most UK-based journals do permit open access. However, some international journals – including very prominent journals, including many published in the U.S. – do not. The HEFCE policy allows you to publish in these journals if they are 'the most appropriate' outlet for your work. The judgement of what is 'the most appropriate' outlet is up to you, the author, and your institution. Your institution should accept your assurance that you have chosen the most appropriate journal for the work.
 - ii. If your journal permits open access, does it stipulate an 'embargo' period during which the deposited manuscript must remain closed to open access? Most UK-based journals do stipulate an embargo period. Much like the 'moving wall' policy maintained by JSTOR, this ensures that journals are able to charge moderate and responsible subscription rates to university libraries to cover the costs of publication, which would not be possible if most of the content were freely available immediately. Most UK-based journals will stipulate an embargo period that complies with HEFCE's policy of a maximum 24-month (2-year) embargo for articles in humanities journals. If your journal has an embargo period longer than this maximum, again you are permitted to publish there so long as that journal is 'the most appropriate' outlet for your work.

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iii. Do all the 'rights-owners' to materials you have used in your publication consent to open access? This applies especially to owners of images, music, literary works and other copyright works who may have given you permission to use their materials in your publication, but only on certain terms. In these cases, you are exempted from any open-access conditions to which the rights-owners object.

iv. On what terms do you wish to make your work accessible, once it is on open access? This question concerns exactly which rights you wish to surrender to users of your open-access work. All open-access work under this policy must be available for copying and distribution in its original form. But you have a choice to limit further uses – for example, you can stipulate that users do not alter your work (e.g. mix your work and theirs and re-publish it under both your names, acknowledging that your original work forms part of the new work but without specifying which is which – this is called 'derivative use') or use your work for commercial purposes. To specify what rights you wish to retain and what rights you wish to surrender, you will be asked which 'licence' you wish to issue your work under. The open-access organization Creative Commons provides a suite of licences from which you can choose (and which many journals offer) - <https://creativecommons.org/licenses/>. We recommend the CC BY-NC ND licence, which allows free distribution of the original work, but not derivative or commercial uses. This licence is explicitly permitted by the HEFCE policy (but not the RCUK policy). Again, you should consult your journal as to which licences they are offering, choose your favoured licence, and tell your repository which you have chosen.

3. When the article is published, you can under the terms of the policy leave the accepted manuscript in the repository, and do nothing further. But you may also wish to add the published version, if your journal permits. Some journals will permit the uploading of the published version at the end of the embargo period, but others won't. If the journal does permit this, we consider that it is best practice to replace the accepted manuscript with the published version (which after all is the version of record, and the one you want quoted or cited, and indeed the one you want assessed for the REF). The HEFCE policy explicitly allows such replacement.

4. 'Gold' open access. All of the above guidance is based on the assumption that the vast majority of journal articles published by historians will be made open access without the payment of any publication fee (an 'Article Processing Charge', APC, or similar). The HEFCE policy permits but does not require 'Gold' open access where a fee is paid for immediate open access. We consider the practice of 'pay to publish' to be wrong in principle, as it gives unfair advantages to funded researchers, and also gives too much discretion to managers who hold publication funds over what and where academics publish. There is no requirement, under either the HEFCE or the RCUK policy, to ask for or to accept 'Gold' publication funds and we recommend you avoid them.

One final point. The HEFCE policy has a number of ambiguities embedded into it, which may suggest to managers that – even though all of the policies above are stated explicitly – they ought to go beyond the stated minima and ask their researchers not to publish in 'the most appropriate' journal, or to give up more of their rights than necessary. But the HEFCE policies have been made deliberately permissive in response to objections to that the more restrictive RCUK policies will damage academic freedom and quality. It cannot be right to stipulate these permissive policies and then seek to claw them back by offering managers incentives to ignore them – either they're necessary for the health of our disciplines or they're not. We are seeking clarification from HEFCE. In the meantime, if you get 'pushback' from managers, asking or requiring you to go beyond the terms of this policy in ways that you are not comfortable with, please let us know.