The UK Scholarly Communications Licence – supporting academics with open access

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Open access started as a grassroots movement by researchers who felt the way scholarly information was made available needed to be improved.[[1]](#footnote-1) Since then the open access movement has grown significantly in influence, especially with researcher funders and governments getting behind it. The Registry of Open Access Repository Mandates and Policies (ROARMAP) currently lists almost 900 open access policies globally.[[2]](#footnote-2) The UK has some of the strongest open access mandates, from the Wellcome Trust, the Research Councils and, overall the most effective one, the Funding Councils. To an extent these mandates have shifted the UK discussion from the benefits of open access to the most effective strategies for compliance. In this context researchers find themselves between the policies of funders and research organisations on the one hand and those of thousands of scholarly journals on the other – creating a policy stack that can be difficult for authors to navigate.[[3]](#footnote-3) Even where researchers are aware of the policies they may still not be able to follow the requirements as journals do not always allow open access (or at least not necessarily in the way defined by a funder).

The main problem are journal embargo policies. Journals often allow academics to make a copy of their peer-reviewed work available in a digital repository. However, the embargo periods required can be longer than the funders allow. Even when they comply, embargoes still restrict access to the latest scholarly findings. This slows down scholarly communication and progress – and may, in fields such as medical research, eventually cost lives. The National Institute of Public Health in Mexico, for example, in 2014 was only able to afford access to 139 scholarly journals, leaving its 300 researchers unable to access key publications,[[4]](#footnote-4) and even well-funded UK research organisations cannot afford access to all relevant journals. Administering embargos is also costly for universities; when I worked at Imperial College London we found that roughly 75% of library staff time related to manuscript deposit was dedicated to checking and implementing journal embargo policies.

The reason publishers can enforce embargos is that they require authors to sign away (most of) their rights when a paper is accepted for publication. Academics feel compelled to sign copyright transfer agreements because they fear their work may otherwise not be published, or at least not in their journal of choice. Unless the publisher grants them the respective rights back authors may not even be allowed to reuse their scholarly outputs in their own teaching.

To address these issues, a group of research organisations in the UK is working to implement a solution that ensures authors can make their work open access, meet funder requirements and always retain the right to reuse their own outputs – but without having to change the publishing process as it currently exists. The initiative is called the UK Scholarly Communications Licence (UK-SCL) and was started by Chris Banks and Torsten Reimer at Imperial College London. At the heart of the UK-SCL is a licence agreement between a research organisation and their staff: authors grant the organisation a non-exclusive licence to make the manuscript of a scholarly article publicly available under a Creative Commons licence that allows non-commercial re-use (CC BY NC). This arrangement pre-dates any contract authors might sign with a publisher, which allows the host organisation to license the rights back to the author after they signed the copyright transfer agreement. This process ensures that academics can retain rights and do not have to negotiate with the publisher. To be legally binding, publishers must be notified – but this is something research institutions working with sector bodies will undertake jointly, so that authors have no additional work.

The advantage of this model is that the publishing process can continue as it is, authors can sign the usual agreement and publishers do not need to take any additional action. Academics will be able to re-use their own material and make it available in an institutional repository or on other platforms such as arXiv. Institutions will make the manuscript available when the article is published, thereby ensuring that authors meet funder requirements and that scholarly results can be shared widely. This is particularly important as research shows that articles that are made open access early have higher citation rates, which increases the impact of the work.[[5]](#footnote-5)

The Scholarly Communications Licence has been adapted to the UK legal and policy context from a model that has been in use at Harvard, and later other institutions, since 2008.[[6]](#footnote-6) This is particularly important as it gives authors confidence that the approach works well for the academic community. As Harvard’s Peter Suber, who provided valuable advice to the UK-SCL development, explained not a single article has been rejected due to the policy developed at Harvard, and now operated at other universities including MIT, University of California, Princeton and Kaust[[7]](#footnote-7).

The Harvard open access policy includes a waiver option that allows an author to opt out of the policy on a per article basis. A small number of journal publishers require authors to request such a waiver, but the vast majority of articles is not affected. Building on the Harvard model, the UK-SCL restricts the application of such a waiver for up to two years, to ensure that outputs remain eligible for the Research Excellence Framework, the main research evaluation exercise in the UK.[[8]](#footnote-8) The open access policy for the next REF limits the maximum embargo period for scholarly articles to 12 or 24 months, depending on the subject area.[[9]](#footnote-9) Other funders set even shorter maximum embargo periods – the Bill and Melinda Gates Foundation is now requiring outputs to be made available immediately without embargo.[[10]](#footnote-10) Considering this stack of policies that apply to research, the UK-SCL is currently the only solution that ensures that authors can continue to publish in the journal of their choice without risking non-compliance with funders that require open access deposits.

The UK-SCL discussions that originated at Imperial College London now include some 70 UK organisations and EU partners. A subset of the research organisations involved is currently preparing to introduce the model in 2017, and a website with further information is being prepared.[[11]](#footnote-11) The initiative is supported by sector bodies such as Research Libraries UK and will be endorsed by funding organisations. Once implemented, it will help authors to make their work open access without additional costs or compliance risks, and ensure they can reuse their own work without undue restrictions.

1. See <https://en.wikipedia.org/wiki/Subversive_Proposal> (accessed 05/01/2017) for one of the early cross-disciplinary proposals for self-archiving of scholarly manuscripts. [↑](#footnote-ref-1)
2. <http://roarmap.eprints.org/>, accessed 04/01/2017 [↑](#footnote-ref-2)
3. See Banks, C., (2016). Focusing upstream: supporting scholarly communication by academics. Insights. 29(1), pp.37–44. DOI: <http://doi.org/10.1629/uksg.292>, accessed 08/01/2017, for more details. [↑](#footnote-ref-3)
4. McKiernan, E., (2014), Being open as an early career researcher. Presentation at the SPARC 2014 Open Access Meeting. Figshare: <https://dx.doi.org/10.6084/m9.figshare.954994.v1>, accessed 08/01/2017. [↑](#footnote-ref-4)
5. A recent study gives a conservative estimate of 19% higher citation rates: Ottaviani, J. (2016). The Post-Embargo Open Access Citation Advantage: It Exists (Probably), It’s Modest (Usually), and the Rich Get Richer (of Course). PLOS ONE, <http://dx.doi.org/10.1371/journal.pone.0159614>, accessed 08/01/2017. An internal analysis of articles published by Imperial College authors in 2011 shows about twice the amount of citations for articles deposited in the College repository compared to those not known to be open access. See slide 16 of Reimer, T. (2016). Imperial College London – journey to open scholarship. Slideshare: <http://www.slideshare.net/TorstenReimer/imperial-college-london-journey-to-open-scholarship> accessed 08/01/2017. [↑](#footnote-ref-5)
6. See <https://osc.hul.harvard.edu/policies/> (accessed 05/01/2017) for the Harvard open access policy, and for more detail: Good practices for university open-access policies, version 1.5, 01/01/2017, <http://bit.ly/goodoa> (accessed 05/01/2017). [↑](#footnote-ref-6)
7. For a list of institutions see: <http://cyber.harvard.edu/hoap/Additional_resources#Policies_of_the_kind_recommended_in_the_guide> (accessed 05/01/2017). [↑](#footnote-ref-7)
8. <http://www.ref.ac.uk/> (accessed 05/01/2017). [↑](#footnote-ref-8)
9. <http://www.hefce.ac.uk/pubs/year/2014/201407/> (accessed 05/01/2017). [↑](#footnote-ref-9)
10. <http://www.gatesfoundation.org/How-We-Work/General-Information/Open-Access-Policy> (accessed 05/01/2017). [↑](#footnote-ref-10)
11. <http://ukscl.ac.uk/> (accessed 05/01/2017). [↑](#footnote-ref-11)