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House of Lords Science and Technology Committee Inquiry into Open Access publishing

Submission by Reed Elsevier

1. Reed Elsevier welcomes this opportunity to submit evidence to the Committee Inquiry on implementation of UK Government policy. We have given our public support for the Finch Report, and have positively engaged - directly and via The Publishers Association - in support of the work of the Finch Group. There are real opportunities, as well as risks, in this new policy direction so the implementation detail matters very much for all stakeholders. Sustainable, workable models supported by all stakeholders are crucial for the UK's leadership position in research and publishing.
2. We support the comments made in the submission to the inquiry by the Publishers Association and would add additional information below based on our own practical experience. To the four key points raised by the Committee:

Support for universities in the form of funds to cover article processing charges, and the response of universities and other HEIs to these efforts

3. For the system to work well it needs to be fully funded and simple.
4. In our experience, where adequate funding is available to authors for open access publishing and administrative processes are simple, it has been possible to achieve 100% compliance with open access policies. This has been the case, for example, with the Austrian Science Fund (FWF) for whose grant recipients we have been publishing on a gold Open Access basis since 2010. FWF cover all costs for their grant recipients and we invoice FWF directly for all articles published by their grant recipients. Our article submissions and other systems have been tailored to ensure FWF grant recipients are aware of the policy and can opt-in. After publication Elsevier deposits the articles in EuropePMC on behalf of FWF-funded authors.
5. Where adequate funding is available, but the administrative process remains complicated, it is still possible to achieve high, if not complete, compliance. For example, Elsevier has operated an open access publishing agreement with the Wellcome Trust since 2006 and we have found that Wellcome funded authors are generally happy to comply with their Open Access Policy although they find the payment/reimbursement process somewhat onerous. This element of the policy is important to Wellcome Trust because it aims to make authors more aware of the cost of the scholarly communication system. Authors do, however, appreciate that the deposit of their articles to EuropePMC is handled directly by Elsevier for Wellcome grant recipients. In this way the open

access agreement between the Wellcome Trust and Elsevier has operated efficiently and harmoniously since 2006, and we are committed to ensuring that it will continue to do so through 2012 and beyond.

6. By contrast, when the provision of funding is a barrier then in our experience compliance with open access policies is low. We believe this is the reason why author compliance with our current open access agreements with UK Research Councils is disappointing; our data indicate compliance with the MRC gold open access mandate is 14%, compliance with the BBSRC gold open access mandate is 4%, and there have been no gold open access articles published with us under the ESRC mandate.
7. We believe one new amendment to the RCUK policy will be positive, and this is to no longer limit use of funds for open access publishing during the lifetime of the grant as most papers are published after expiry of the grant period. This has been a significant barrier for authors and the change should now improve author compliance rates.
8. However we are concerned about two remaining barriers: the publicly-announced funding shortfall and the added complication of a funding split between UK Research Councils and Universities which will create uncertainty for our authors and administrative costs and challenges for all stakeholders.

Embargo periods for articles published under the green model

9. Although we offer gold open access option for all articles published in Elsevier owned journals, it seems that the UK Government objective for immediate open access to work by UK funded authors will not be met in the medium term due to limited funding for Article Publication Charges. In this situation, clarification of implementation arrangements for green open access policy is essential.
10. Elsevier has a number of agreements with funders and research universities/institutions to enable successful implementation of green open access mandates in ways sustainable for the underlying journals. These agreements, such as the one with the World Bank, enable access to accepted manuscripts via institutional repositories after a title-specific embargo period. Our embargo periods are evidence-based on comprehensive analysis of article usage data. We calculate a usage half-life and position our embargo periods at the time when 50% of the predicted lifetime usage of a typical article within the journal title has passed. Our embargo periods are generally 12-24 months, and vary across subject and titles as one size does not fit all.
11. The Finch Report concluded that: "Where an appropriate level of dedicated funding is not provided to meet the costs of open access publishing, we believe that it would be unreasonable to require embargo periods of less than twelve months. (*Government, funders, universities*)" [Executive Summary #4, xviii, p.10]
12. Recognising the need to maintain sustainability of the scholarly publishing system, in his letter to Dame Janet of 16th July 2012, David Willetts commented further: "Embargo periods allowed by funding bodies for publishers should be short where publishers have chosen not to take up the preferred option of their receiving an Article Processing Charge (which provides payment in full for immediate publication by the 'gold OA' route). Where APC funds are not available to the publisher or learned society, for the publication of publicly-funded research, then publishers could reasonably insist on a longer more equitable embargo period. This could be up to 12 months for science,

technology and engineering publications and longer for publications in those disciplines which require more time to secure payback. Even so, publications with embargo periods longer than two years may find it difficult to argue that they are also serving the public interest.”

13. At present the RCUK policy is not consistent with either the Finch Report or Government policy as it mandates an embargo of 6 months or less. For the vast majority of publications this is unsustainable. The costs of publishing these journals is met by selling subscriptions, for example to libraries, and so to have a sustainable business model adequate time is needed to collect subscriptions that will cover the publishing costs.
14. Without steps to align this element of the RCUK policy with a policy that all stakeholders support, as delivered in the Finch Report, there is a significant risk that Government’s objectives will not be met.

Engagement with publishers, universities, learned societies and other stakeholders in the development of research council open access policies and guidance

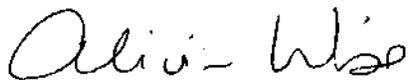
15. On engagement the Finch Report stated: “Our recommendations are presented as a balanced package, so it is critical that they are implemented in a balanced and sustainable way, with continuing close contact and dialogue between representatives of each of the key groups.” [Executive Summary #4, p.8] The Finch Group itself played an extremely important role as the constructive, balanced place in which issues could be aired and addressed collaboratively. We believe that it is therefore crucial that all stakeholders are clear and open about their own concerns and needs, and respectful of the views of the other stakeholders. This has happily been the case for most; however we regret that this has not been our impression of RCUK’s response.
16. This is despite the very good efforts of the responsible officials at BIS who have engaged with all stakeholders, and continue to play a positive influencing role in attempting to bring all parties together. This is vital because of the importance of a workable solution for open access publishing, not only for the UK, but because it will set a precedent for the European Commission and other European Member States who are watching closely the UK’s implementation in advance of their own.

Challenges and concerns raised by the scientific and publishing communities, and how these have been addressed.

17. Universities, publishers and learned societies have all clearly expressed significant concerns about the issues outlined above. All support the Finch Report and Government policy, but all are concerned that RCUK is acting unilaterally and at odds with the consensus carefully crafted amongst stakeholders, captured in the Finch Report, and enshrined in Government policy.
18. We respectfully suggest that the Committee recommend:
 - (a) That RCUK bring its policy back into line with Finch/Government policy – especially regarding embargoes for green open access.
 - (b) That Government set up an on-going forum to ensure subsequent implementation steps remain on track and in line with Finch/Government policy, and to provide a forum for airing/resolving

emerging issues. One such issue is around the licensing of open access content as there is growing unease amongst some academics in some fields about the imposition of a CC-BY license.

19. We would also comment that, although beyond the remit of this inquiry, attention is addressed to Finch recommendations aimed at increasing access within the UK to subscription content published by the 94% of authors who are based outside the UK. Initiatives such as free journal access in UK public libraries are clearly progressing well and in partnership between stakeholders. It is, however, unclear how subscription access is being extended in other sectors. This would be another useful topic for the attention of an implementation forum.
20. We thank the Committee for this opportunity to provide input to this review and will be pleased to provide further assistance if required.



Submitted on behalf of Reed Elsevier by
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