Open Science Talk No. 43 (2022) The Rights Retention Policy of Edinburgh University [1]

00:00:10 Per Pippin Aspaas
Open Science Talk, the podcast about open science. My name is Per Pippin Aspaas and I'm joined today by Dominic Tate. And who are you, Dominic?

00:00:24 Dominic Tate
Yes. So my name is Dominic Tate. I'm the head of the library's research support team and also the deputy director for library and university collections at the University of Edinburgh.

00:00:35 PPA
Edinburgh yeah, so we're in Scotland. But right now, you're at the Munin conference in Tromsø, so welcome here.

00:00:44 DT
Thank you.

00:00:45 PPA
And what kind of an institution is Edinburgh?

00:00:49 DT
So we are, by British standards, a very large university. We're about 40,000 students and nearly 16,000 staff, about 6000 or 7000 of which are research active. We are a historic university, we are quite old. We were founded in 1583, but we're still nowhere near the oldest university in Scotland but we are the largest, by some measure. Edinburgh is a fairly small city as well, so the university really plays a big role in the life of the city and everyone knows someone who works there, studies there, that sort of thing.

00:01:35 PPA
You recently made a Rights Retention Policy. You adopted a rights retention policy as the first institution in the UK, lest I am mistaken. And you also have something called an Open Research Road Map, which all is available online, of course, so I tried to read up to this, but could you briefly explain what it is, this Open Research Road Map and how does that relate to your Open Access policy with rights retention in it?

00:02:04 DT
Sure. So, the Open Research Road Map has been around for a number of years now. Our university is part of the LERU network, that's the League of European Research Universities. There is a working group within LERU that worked on putting together a kind of proposed Road Map for Open Science, as they call it, and it's made up of eight different pillars of open science and then it makes something like 41 different recommendations against these different areas of work. Within the University of Edinburgh, our Research Strategy Group asked us in the library to write a road map for open science

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and, instead of reinventing the wheel – we had contributed some work to the to the LERU Road Map, so we adopted that as our own and what we've done is we've taken the 41 LERU recommendations and then we have tried to assess our progress against each of these recommendations. So there's sort of, what we call a RAG status – red, amber, green – that we've put against each of those recommendations and that's governed by our university's top level Research Committee, which is Research Strategy Group.

00:03:22 PPA
And how were you doing in terms of open access?

00:03:25 DT
Well, in terms of open access for publications I think we're doing well. I think if you look at the wider road map, the wider kind of open research picture, it's a bit more mixed. It's worth mentioning actually, that we refer to it as "open research" or "open scholarship" rather than open science at the University of Edinburgh. That's because we are a very broad-based university with a large Arts, Humanities and Social Sciences faculty and we we're very careful not to use the word "science" where they think it might not apply to them, so we talk about open research because we believe that the same principles would apply equally in the College of Art as they might do in Physics.

00:04:11 PPA
Yeah, to our Norwegian listeners I could just mention this, that "science" in a UK setting or Anglophone setting is usually the hard sciences –

00:04:23 DT
That's exactly it, yeah.

00:04:23 PPA
– whereas "vitenskap" or in German, "Wissenschaft" is more broad. I guess that, to be the first institution in the UK to make this move towards a Right Retention Strategy, which means that all research articles can in principle be Open Access if the researchers want so. How did you prepare for that bold move?

00:04:51 DT
OK, so our rights retention policy is slightly separate from the open research road map, which looks at the wider picture. We've worked on open access publications for a long time, next year our original repository will be 20 years old, so, you know, we've had the infrastructure for a long time. And you know, to some degree, our academics have been making their publications open for some time. The policy picture across the UK has been mixed and somewhat complicated in recent years. But since 2016 we have kind of got to the stage where researchers are routinely depositing versions of their papers in our open access repository, and they may be made open access after an embargo period. Some may not actually be made open access at all for whatever reason, but the process of depositing the papers had sort of become normalized, and that was because of some changes that had been made in the UK, meaning that in order for research papers to be assessed as part of our national university assessment programme, they had to be deposited in a repository and made open access if possible. So we were starting to look at the new policies coming out of Europe – and Plan S in particular, which had been adopted by the big UK funders, something that we're very much supportive of but kind of gave us a problem, really. You know, there was, suddenly there was, like, another Open Access policy to be dealing with in this complex landscape. And, what we wanted to do was make things simple for authors. So we started discussions about implementing a Rights Retention Policy through a UK-wide consortium called the UK Scholarly Communications License or sometimes

it's called UK SCL. That work was led by Chris Banks at Imperial College London, with some others. And that that was really the kind of the starting point for what we wanted to do. And in the end we, you know, we took this through various discussions with the university senior management team and we had a lot of support from our legal services colleagues and that was really, really important. We had a university lawyer who was genuinely scandalized by the way that academic publishing worked and she really wanted to make a change to the system and this seemed like kind of a simple legal way for our researchers to be able to comply with Plan S effectively and that was, sort of, the background to it.

00:07:51 PPA
Yeah, so Plan S helped get you along this line of thinking, but you also did a lot of legal paving-the-way work, I guess. What I read in a blog post by one of your colleagues, Theo Andrew, is that you actually contacted all the big publishers that your faculty tends to use and said that you will now have a Rights Retention Strategy in place. How did that play out? Did you get responses?

00:08:28 DT
Yeah, we did get some responses. We were advised it's a part of the legal basis for our Rights Retention Policy that we have informed publishers of this. Under Scottish law, this is an important part of the process, because if we inform someone that we are making this change – that is entirely legal, that we're absolutely entitled to do – if a publisher then, sort of, knowingly coerces an author into not meeting those requirements, then technically they are procuring a "breach of contract", I think it's called. And so the process for contacting publishers was relatively easy. You know, there was some work in getting hold of contact details, and then notifications were sent by e-mail and also by recorded delivery. In terms of responses we have had a few, and actually they've mostly been very supportive. A lot of publishers have said, you know, that they're fully in support of this approach. We have had I think maybe 3 responses that have been less favorable. A couple of them could be cleared up. I think they were, kind of – maybe misunderstandings, actually. It's really, kind of, just making sure the publishers understand what we're coming from with this, so sometimes it was a misinterpretation. There was one that was maybe a little bit more, we'll say, "aggressive" and I won't name that publisher, but actually, you know, we've come to a helpful working relationship now. I think, you know, the tone was very aggressive to begin with, but we understand one another much better now and, you know, we're kind of in a better place.

00:10:20 PPA
It's good that you mentioned that because you've actually contacted more than 90 different publishers and only three of them were, sort of, negative to begin with and now they're all cooperating.

00:10:33 DT
Yeah, actually I think it's more like 160 that we've contacted now and there's still only three from that, so it has been really positive. And actually you know there have been other questions raised, but they've really been on a practical level. It's really been about the workflow and how things work and that needs to happen, and do publishers need to do things differently – and actually that's been very, very fruitful, to be able to work with publishers to make the authors' journey to publication a bit easier.

00:11:02 PPA
Yeah, and the journey – the final step, you could say, of the journey is that they then upload what's called the Author's Accepted Manuscript in your CRIS system – or how does it work, technically, for the author?

00:11:16 DT
So, as I mentioned before, because we were already at the stage whereby authors were required to routinely deposit manuscripts, the big change really has been on the administrative side – about how we, you know, how we manage the manuscripts in the CRIS system, the repository system – and that's for the library and the administrators across the university that work with us on Open Access. So for authors it's been relatively simple, they kind of just do what they're doing. We do encourage people to put a Rights Retention Statement into their publications – so that's something that needs to happen at the point of submission, ideally. They don't do this routinely, but actually it's not a problem because it exists in law anyway, even if it's not written into the paper. So it's kind of a bit of a belt and braces approach there.

00:12:07 PPA
Yeah, what about the economic aspect, to return again to the publishers' side? I mean, they make a living out of making publications, and they do lots of things with the manuscripts of the author – the most important perhaps the visible part. If you compare an Accepted Manuscript with a Version of Record it's usually the layout – the logo is there and different pagination, perhaps a more beautiful look and feel. But that's what they keep the rights of, I guess, in this Rights Retention Strategy. Is that correct?

00:12:48 DT
Yes, I mean, the Rights Retention is around the Authors Accepted Manuscript and it's a means to enable authors to comply with the requirements of the funders to make their research Open Access. Now in reality actually, we're signed up to a number of transformative deals with publishers, these so-called Read-and-Publish Deals, where, as well as, you know, the library buying access to the subscription content, we also buy a right to publish in Open Access bases with those publishers and in reality, that is actually the main route at the moment for authors at the University of Edinburgh to make journal articles and conference proceedings Open Access. That seems to be, having looked at the numbers, and – if referring back to Theo's article – that is the main route to Open Access. I suppose, on the economic side, you know, there is this sort of idea that green Open Access could somehow affect publisher sales, but in reality, you know, everything in physics has been Open Access for decades and we still buy the journals.

00:13:59 PPA
Yeah, that's interesting because they have had this ArXiv solution with preprints and all that, for decades. So there still is a market for the publishers. But if all institutions worldwide did the same as Edinburgh – and, in fact, UiT The Arctic University in Norway has a similar policy in place, and also NTNU in Trondheim has adopted this quite recently: if everybody did this, would there then be a market for these journal articles that you buy from the publisher, so to speak?

00:14:43 DT
To be honest, I think it's difficult to say. I mean, I'm a very pragmatic person and I think my first answer is well, that's not the case. You know, this is very much a sort of a hypothetical question, you know. So like, say, we've been buying physics journals for 20 years still. I think, you know, the business around Open Access Publishing is changing and other businesses, other kinds of publishing businesses have changed. Look at the music industry, you know, see how that has changed over the last two decades and still is able to make huge amounts of money – but in different ways through adding value. I mean, I was in a record shop in Edinburgh the other day and wondering why I was paying nearly 30 pounds to own something that I had digitally, on a less convenient format. But you know, there's still ways to make money if they want to do that.

00:15:37 PPA
Yeah, so you can have deluxe PDF's that you buy?

00:15:42 DT
There you go, there you go. There's a developing business model there already.

00:15:49 PPA
Dominic Tate, this has been really interesting and I thank you very much for coming to the podcast.

00:15:56 DT
Thank you.

00:16:01 PPA
Open Science Talk is produced by the University Library at UIT the Arctic University of Norway. Thanks for listening.