Open Science Policies at the University of Edinburgh
Putting Policy into Practice

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Abstract

Over the last 15 years, the policy environment has shaped the open access and open science agendas in UK higher education. This paper provides an overview of open science policies at a national level in the UK and at an institutional level within the University of Edinburgh, and assesses the efficacy of these policies in practice. This paper reviews what has worked well and why, describing the development of the University of Edinburgh's current Research Publications & Copyright Policy (2021), which is a 'rights-retention' policy.

Keywords

open access, open science, policy

Policies in the UK

Researchers in the United Kingdom have been subject to a wide variety of policies relating to open access publication since the Wellcome Trust released its 'Position statement in support of open and unrestricted access to published research' in October 2005.

In June 2012, the 'Working Group on Expanding Access to Published Research Findings' published its report entitled *Accessibility, sustainability, excellence: how to expand access to research publications*, known as the Finch Report. This kick-started the process for the development of funder policies and provided funding through the UK Government's research funders, then known as Research Councils UK (RCUK), to provide funding to for open access infrastructure, and to pay for article-processing charges.

Early Institutional Policies

In 2010, the University of Edinburgh introduced its first Research Publications Policy, which strongly encouraged open access, but stopped short of mandating this, with no sanctions for non-compliance. This was followed by an aspirational Research Data Management Policy which made the case for the good management of research data with a recommendation that data should be shared wherever possible. Both these policies were useful in establishing an institutional position in line with the contemporary funding environment. They were useful as tools to point to during advocacy activities, but neither of them changed author behaviour to any significant extent.

Research Excellence Framework (REF) Policy

In July 2014, the Policy for the post-2014 Research Excellence Framework was announced. This marked a change of strategy for most UK universities as this policy effectively required much higher levels of compliance.

All UK higher education institutions which undertake research must participate in the REF, which is a large-scale national research assessment exercise undertaken every seven or eight years. Institutions make submissions to up to subject-based 34 units of assessment, which represent academic disciplines across four panels representing medicine, health & life sciences; physical sciences and engineering; social sciences and arts & humanities.

Submissions include quantitative information about the numbers of research staff and students, the levels of research investment; as well as human resources, finance and student data. Institutions also submit qualitative information in the form of information about the local research environment and case studies highlighting the impact of an institution's research.

Institutions must also submit a large number of research publications to the exercise, and these are reviewed and assessed by the 34 subject based panels. Typically 2.5 publications must be submitted for each 1 full-time equivalent (FTE) research-active member of staff. Nationally, 185,594 publications were submitted to the REF exercise in 2021. The University of Edinburgh submitted ca. 6,250 publications on behalf of 2500 FTE research staff.

Strict open access criteria apply to publications submitted to the REF exercise. Essentially, the policy applies to all journal articles and conference proceedings accepted for publication from 1 April 2016. Publications must be deposited on an institutional or subject repository within three months of the date of acceptance and made open access subject to publisher-imposed embargo periods up to a maximum of 12 months for STEM subjects and 24 months for social sciences, arts and humanities.

Whilst there are a range of exceptions and a limited tolerance for non-compliance, this policy effectively mean that *all* journal and conference publications associated with University of Edinburgh researchers needed to meet the open access requirements, even the "un-funded" research.

Implementing the REF Open Access Policy

It is not individual researchers but universities which are assessed by REF, and the outcomes of REF exercises have serious implications for the reputation and future funding of the institution. With 60% of the marks derived from publications, it was critical to meet the open access requirements, and so a carefully-managed approach was necessary.

The policy was clearly explained to senior leaders within the University of Edinburgh, and responsibility for compliance was assigned to senior research staff within the University's Schools and Research Centres, typically Directors of Research who had local responsibility for REF submissions.

Monthly reporting is provided to Heads of Schools, Directors of Research and the University's central Research Strategy Group which shows overall compliance with the requirements for each part of the University. Library staff work with local administrative staff right across the institution to manage the implementation of the policy, using various

channels of communication and processes tailored to suit the local research environment. At the time of writing, compliance with the REF requirements is estimated to be around 95% which is within the acceptable tolerance for compliance.

Development of a Rights-Retention Policy

The idea of rights-retention has been on the University of Edinburgh's agenda since the early 2010s, and the Library's Scholarly Communications Team has engaged in numerous discussions to establish whether such an approach could work within the University's context.

The 'Policy Stack' and the UK Scholarly Communications Licence

Whilst the UK research environment has benefitted from a comprehensive range of open access publications policies, the requirements of REF, research funders and institutions often came into conflict with one another, making life unnecessarily complicated for authors, something often referred to as the 'policy stack'.

In 2017, Chris Banks (Director of Library Services at Imperial College London) convened a UK-wide group of librarians, copyright experts, publishers and academics to investigate the possibilities for the development of a single [UK Scholarly Communications Licence (UK-SCL) and Model Policy](#) to allow authors to retain rights to re-use their own work.

UK-SCL was based on a model adopted by Harvard University in 2008 and subsequently adopted by around 70 institutions across the world. Work needed to be undertaken to see how this would apply within the UK context.

Developing the University of Edinburgh's Policy

In 2022, UK Research and Innovation (UKRI, which succeeded RCUK as the main government funding organisation) launched a fresh [Open Access Policy](#), which adopted the principles of [Plan S](#). Library staff realised that a further significant cultural change would be necessary, in order to help researchers meet these new requirements.

The idea of a rights-retention policy, built on the work done by UK-SCL, provided a simple solution to free authors from the policy stack and allow them to comply easily and legally with all funders' requirements in one easy step. This idea was developed by Dr Theo Andrew, the Library's Scholarly Communications Manager, who worked to develop the new policy.

The process for developing and implementing the policy was lengthy, involving discussions with the University's senior leadership, consultation with research committees and the campus trade unions. Throughout the process, the Library's team was supported by University Legal Services, as well as a network of open access champions and practitioners across all parts of the University. An Equality Impact Assessment was undertaken to ensure there are no unintended effects detrimental to any protected groups, and this will be reviewed annually.

Once the policy was finalised by the University Executive, the University's Legal Services Team sent letters by email and recorded delivery to a list of the 165 publishers with whom

its authors publish the most articles. The Library worked with the network of open access practitioners to develop guidance for authors, and began an extensive programme of outreach, speaking to over 1700 researchers through a programme of meetings. This represents just 21% of staff so advocacy is an ongoing activity.

The University of Edinburgh is the first University in the UK to adopt a rights-retention policy, and has already been followed by the University of Cambridge (on a trial basis) and Sheffield Hallam University. We understand that a large number of research-intensive Universities are due to adopt similar policies in the coming months.

The Wider Open Science Agenda

Over the last five years, we have begun to reach very high levels of open access for journal articles and conference proceedings. It is difficult to assess the number of research datasets which have been made open as a proportion of the total, but we are certainly measuring an upward trajectory in academic engagement with the Library's Research Data Service.

In 2022 the University implemented a refreshed Research Data Management Policy, which makes clear the responsibilities of the University and its researchers in the management of research data in line with FAIR principles.

The time is now right to focus on the wider open science agenda. As a broad-based university, with a large College of Arts, Humanities & Social Sciences, we talk about "Open Research" rather than open science, as we believe the principles can apply equally in these subjects as in STEM.

The University of Edinburgh adopted LERU's open science Roadmap as its own Open Research Roadmap, and a small team in the Library is working to co-ordinate and support open research activities across the institution. No further policy development is anticipated in this area although work is beginning to engage senior managers in discussions about researcher incentives across a range of areas within open science.

The Library is recruiting a Citizen Science Engagement Officer to better understand the role of libraries, museums and cultural heritage within the citizen science sphere and to promote its services to support citizen science activity across the institution.

Conclusions

Aspirational policies and those without sanctions are useful in establishing a direction of travel but have little effect in changing practice, even when they are well-communicated to researchers. Funder policies are more effective as the risk of financial sanction is a strong incentive for researchers to comply. Policies relating to research assessment at the institutional level are useful in being more of a catch-all, to ensure that research outputs not associated with grants from particular funders can also be made open.

In our experience, putting in place a rights-retention mechanism has provided a very simple way for researchers to meet open access requirements from a range of international funders, and an easy tool to allow authors to comply with the requirements of Plan S.

Rights retention works for the University of Edinburgh because the University's Senior Leadership Team are engaged, and because this is supported by the University's Legal Services Team. It would not have been possible to implement such a policy without a good understanding of the national and the organisational context. This is not a Library policy, but a University policy.

Table 1: Summary of Open Science Policies

Policy	Dates	Application	Note
Wellcome Trust open access Policy	2005 onwards	Journal articles & conference proceedings, monographs	Since 2021 this has been a Plan S policy.
RCUK open access Policy	2013-2022	Journal articles & conference proceedings.	Financial sanctions for non-compliance.
University of Edinburgh Research Publications Policy	2010-2021	Journal articles & conference proceedings	Strong encouragement of open access publications but with no mandate.
University of Edinburgh Research Data Management Policy 2011	2011-2022	Research datasets	Aspirational policy, no sanctions in place.
Research Excellence Framework (REF) open access Policy	2016 onwards	Journal articles & conference proceedings. Expected to cover monographs in the future.	All journal articles and conference proceedings must be made open access within maximum embargo periods if the publisher allows. We expect this to be expanded to cover monographs in the future.
UKRI open access Policy (Plan S)	2022 onwards	Journal articles & conference proceedings. Monographs from 2024.	This is a Plan S policy and hybrid open access is no longer allowed. Open access must be achieved via the green route with rights retention, via Gold open access journals or via transformative agreements with publishers. UKRI-funded monographs must be made open access from January 2024.

Policy	Dates	Application	Note
University of Edinburgh Research Publications & Copyright Policy 2021	2022 onwards	Journal articles & conference proceedings	Rights-retention, copyright held by author in the first instance. Author entitled to make AAM open with CC-BY licence. Allows full compliance with Plan S requirements.
University of Edinburgh Research Data Management Policy 2011	2021 onwards	Research datasets	Emphasis on FAIR Data. Requirement for Data Management Plan. Responsibility lies with researchers.

Research Publications & Copyright Policy (2021)

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Purpose of Policy

This will allow University of Edinburgh researchers to make their journal articles and conference proceedings available on an open access basis as required by research funders under Plan S https://www.coalition-s.org.

Overview

Immediate Open Access to research outputs, with rights retention, is the direction of travel major researcher funders are taking. On 1 January 2021 the Wellcome Trust introduced its new Open Access policy which requires its grantholders to immediately make their research outputs open access upon publication and to be openly licensed with a Creative Commons attribution licence (CC BY).

It is expected that the new UKRI open access policy, which is due to be announced shortly with a start date of 1 January 2022, will have similar elements of rights retention that allow their grantholders to make their research outputs freely available by the official final publication date.

Furthermore, the recently announced Horizon Europe programme, which is world's largest multinational research and innovation programme, will require immediate open-access publishing for all recipients of Horizon Europe research grants. Authors must also retain intellectual-property rights for their papers.

The original Research Publications Policy was originally developed and implemented in January 2010, and has been revised in 2021 to bring it in line with research council strategies, policies, and practices.

Scope: Mandatory Policy

This policy applies to all staff on research contracts.

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Approving authority		University Executive			
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Section responsible for policy maintenance & review		Library Research Support, Library & University Collections, ISG			
Related policies, procedures, guidelines & regulations		N/A.			
UK Quality Code		UK Quality Code			
Policies superseded by this policy		Research Publications Policy (2010)			
Alternative format		If you require this document in an alternative format please email Academic.Services@ed.ac.uk or telephone 0131 651 4490.			
Keywords		Open access, publication, copyright			

Research Publications & Copyright Policy (2021)

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Academic staff at the University of Edinburgh have traditionally, when publishing research outputs, exercised an independent right to assign or give away their scholarly works (in addition to the University's right). This has enabled the current process of the corresponding author assigning copyright to publishers, which results in many journal articles and scholarly works now being under partial or complete ownership by the academic publishers.

In order for the University and its researchers to comply with funder requirements, and to enable the University to disseminate its research and scholarship as widely as possible, whilst enabling its staff to publish their work in a journal of their choice The University of Edinburgh will adopt the following policy.

Research Publications & Copyright Policy

1. The University of Edinburgh confirms the current practice that members of staff own the copyright to their scholarly works.

2. Upon acceptance of publication each staff member with a responsibility for research agrees to grant the University of Edinburgh a non-exclusive, irrevocable, worldwide licence to make manuscripts of their scholarly articles publicly available under the terms of a Creative Commons Attribution (CC BY) licence, or a more permissive licence.

3. After granting the licence each staff member with a responsibility for research will provide an electronic copy of the accepted manuscript (AM) of each article at no charge to the appropriate representative of the University of Edinburgh in an appropriate electronic format (such as PDF).

4. The University of Edinburgh will deposit the AM in a digital repository, with article metadata usually available immediately upon deposit and the AM being made accessible to the public on the date of first online publication (or the conference end date for conference proceedings) under a Creative Commons Attribution (CC BY) licence.

5. This policy applies to all scholarly articles, including conference proceedings, authored or co-authored while the person is a staff member of The University of Edinburgh, which includes any third party content where rights in that content have been secured. Any articles submitted, or accepted, for publication before the adoption of this policy are exempt.

6. Whilst the policy does not apply to monographs, scholarly editions, text books, book chapters, collections of essays, datasets, or other outputs that are not scholarly articles, the University strongly encourages researchers to make them as openly available as possible. Note: this proposed policy only applies to first copyright in authored research publications. It does not extend to other Intellectual Property Rights (IPR) in research, which is already covered in the University's IPR Policy.

7. The University recognises that there may be situations outwith a staff members control where it is difficult to follow this policy exactly. In this case it will be permissible for staff to voluntarily opt out of the requirement for immediate open access upon publication, or the assignation of a CC BY licence. However this may cause the research output to be non-compliant with funder policies. To opt-out we simply ask authors to contact the Scholarly Communications Team with details of the publication.

Address convention

8. This policy requires all University of Edinburgh research outputs to be easily identified as being from the University of Edinburgh in order to ensure full credit is given in bibliometric searches carried out for the assessment of research, league tables or other purposes. All researchers should use an address in the form below when submitting an item for publication. As a bare minimum the phrase "The University of Edinburgh" must be used, but the following format is preferred:

<Centre/Unit>,<Institute/School>,<The University of Edinburgh>,<Postal Address>.

Adoption and use of author identifiers (ORCID)

9. ORCID provides researchers with a unique identifier that can be kept throughout their career. It distinguishes between researchers with similar names and helps ensure that publications are attributed and recorded correctly, potentially reducing researchers' workload. ORCID is a global, non-profit organization supported by its members, including the University of Edinburgh. Publishers are increasingly adopting ORCIDs in their journal submission systems. Major research funders, such as the Wellcome Trust and the UK Research Councils, now require, or recommend the use of ORCID. In addition, external grant application and reporting systems, such as Researchfish and Je-S, now link with and require ORCID identifiers.

10. The University of Edinburgh strongly encourages researchers, if they have not already done so, to claim, create and populate their ORCID record. This can be done automatically via information already held in the institutional repository. The University of Edinburgh then asks researchers to use their ORCID in research outputs.

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Rights retention policy: an update after 9 months

Posted on **October 14, 2022** by **theo**

2022 has been a big year for open access at the University of Edinburgh. We started the year off with a bang by introducing a revised Research Publications & Copyright policy in January. This mandatory open access policy applies to all University staff members with a responsibility for research. Going forwards all authors automatically grant the University a non-exclusive, irrevocable, worldwide licence to make manuscripts of their scholarly articles publicly available under the terms of a Creative Commons Attribution (CC BY) licence.

We are proud that the University of Edinburgh was the first institution in the UK to adopt this type of progressive rights retention open access policy, and we are hugely encouraged to see that many other universities are adopting similar policies. In many ways the policy is just the starting point and most of the hard work actually happens afterwards when supporting members of staff with new publishing processes. This post is intended to give an update of progress so far and to give an account of how the University of Edinburgh policy is having a positive effect on the number of open access publications being immediately available.

Contacting authors

During 2022 the Library in conjunction with Professional Service staff embedded within Schools and Colleges have held an ongoing series of internal seminars for Schools/Institutes. To date the recorded attendance has been 1700 researchers (21.5% of 7,900 total). During these sessions academic staff were informed about the new institutional policy and the support options that are available to them. A second approach was to send All-Staff emails circulated by local College and Schools with information about the new policy and guidelines. This co-ordination between the Library and Professional Service staff was essential in spreading the message about the new institutional policy and getting widespread buy-in from academic staff.

Contacting publishers

In parallel to informing academic staff the University undertook an exercise to formally write to and inform the most

popular publishers that University staff submit their work to. Solicitors from our Legal Services department sent a Notice of Grant of Licence by recorded delivery and email to 170 publishers we identified. These publishers we selected covered in the region of 95% of the University's publication outputs.

Many publishers have introduced restrictive publishing agreements which require embargo periods, and some publishers even assert that their licensing terms will supersede any other prior agreements. We dispute this and if challenged the University will be able to bring a legal claim against the publisher as they have willingly procured a breach of contract against our pre-existing rights.

For a claim of procuring a breach of contract to succeed it must be shown that the defendant knew about the prior contract and intended to encourage another person to break it. Our solicitors have prepared a sworn Affidavit confirming service on all the recipients which will be sufficient to confirm that all the named publishers were indeed advised of our position ahead of article publication and that they have subsequently asked an author to breach the terms of their employment contract by accepting a publishing licence. Most of the time these publishing agreements are click-thru licences that are impossible to edit or change.

With a prior licence granted and publishers contacted the University can now deposit the accepted manuscript of articles in our digital repository, with the article metadata usually available immediately upon deposit and the scholarly article made accessible to the public on the date of first online publication under a Creative Commons Attribution (CC BY) licence.

A snapshot of open access statuses

So with the policy in place, and the majority of authors informed, how effective has the policy been over the first 9 months?

Using data from our Current Research Information System (CRIS) we can track progress on articles published and their open access status. However, we have to be aware of some of the limitations about the health of the metadata extracted from the CRIS. Sadly around 5% of research output records do not have complete metadata allowing us to determine their status. Another point to note is that individual research outputs records in the CRIS commonly have information about both the accepted manuscript version and a final published version. Due to the data model of the CRIS it is not easy to disambiguate between the green versus gold OA statuses when running reports.

Bearing this in mind the table below shows the current open access status of 2022 journal articles:

Open status	Count of OA status	Percentage
Closed	219	5%
Embargoed	576	12%
Indeterminate	226	5%
Open	3519	78%

Grand Total	4540	100%

For the 2022 calendar to the present date (mid-Oct) University staff members have written and published 4737 journal articles, of which 197 are not yet published so we'll discount those. This table includes journal articles that are published via all types of OA route – including fully Gold OA journals and Gold OA via Transformative Agreements (Read & Publish deals). If we remove the journal articles that have been published under a Transformative Agreement or in a fully open access journal we will be left with the number of Green OA articles. **We have determined that 958 journal articles have made open access via the repository (Green OA) route in the first 9 months of 2022.** It is interesting to note that a Rights Retention Statement (RRS) was only included in 103 articles.

Timing of Open Access

By comparing the dates we have recorded for the official publication date and the date of earliest online access via the repository we can tell something about the timing of open access. The table below shows the available data for articles published in 2022.

Timing of OA	# of Green OA articles
Before publication	157
Within 1 month of publication date	644
Between 1-3 months of publication date	58
Between 3-6 months of publication date	16
Greater than 6 months of publication date	83

The majority of articles released before official publication in the journals are preprints that have been deposited in arXiv (or similar) and share a single research output record for the preprint version and journal article.

Around two-thirds (67%) of the Green OA articles were deposited and made OA within 1 month of the date of publication. This time period is the one recommended by UKRI to comply with their 2022 Open Access policy. Around 16% of Green OA articles were made open access after this 1 month deadline so technically would not comply with research funders policies, like the UKRI. Looking at the data more closely reveals that the majority of these seemingly uncompliant articles were submitted before 2022 so actually would not need to follow the immediate OA requirements.

Progress: snapshot of licensing formats

Looking at the licence details on the open access research output records in the CRIS (which includes Gold OA and Transformative Agreements) show that the Creative Commons Attribution (CC-BY) licence is the most popular. It is worth noting that many scholars have opted to choose the more restrictive Creative Commons Attribution-

NonCommercial-NoDerivatives (CC BY-NC-ND) licence. The licence field is not mandatory in the CRIS which means that often is it not completed. This is reflected by the high 'unspecified' response recorded for 1311 records.

Row Labels	Count of Licenses to electronic version documents
All Rights Reserved	56
Creative Commons: Attribution (CC-BY)	2433
Creative Commons: Attribution No Derivatives (CC-BY-ND)	10
Creative Commons: Attribution Non-Commercial (CC-BY-NC)	244
Creative Commons: Attribution-NonCommercial-NoDerivatives (CC BY-NC-ND)	551
Creative Commons: Attribution-NonCommercial-ShareAlike (CC BY-NC-SA)	20
Creative Commons: Attribution-ShareAlike (CC-BY-SA)	1
GNU GPL	1
Other	55
Unspecified	1311
Grand Total	**3519**

Summary

During the first 9 months of this year professional service staff in conjunction with the Library have been rolling out a massive advocacy push to let authors know about the new research publications policy. This has led to widespread engagement with academic authors who have made 90% of their research outputs open access, mostly within one month of publication. So far we have been informed that only three academics have opted-out from the institutional policy. This relatively low drop-out rate when considered alongside the fact that only 10% of accepted manuscripts have included the rights retention language (RRS) may mean that more outreach activities are required.

We note that the majority of these outputs have been made open via a combination of Transformational Agreements and Gold Open Access journals. However, where this has not been possible, the open access policy has enabled the remaining 27% to be published via the repository Green OA route mostly without embargo. We believe the rights retention policy is an important mechanism to allow authors to publish their research immediately, regardless of whether they have research funders mandates or not.

This entry was posted in **Gold OA**, **Green OA**, **International Open Access Week**, **Open Access**, **Plan S** by **theo**. Bookmark the **permalink [https://libraryblogs.is.ed.ac.uk/openscholarship/2022/10/14/rights-**

retention-policy-an-update-after-9-months/] .