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2016 Review of ARC Open Access Policy and FAQs

Dear Leanne,

Thank you for your invitation (8/12/2016) to provide feedback on the consultation draft of the ARC Open Access Policy (OA Policy) and FAQs.

In preparing this response I have consulted with stakeholders across the University who are engaged in gathering, curating, disseminating or reporting on research outputs, and in monitoring compliance with Australian Research Council (ARC) and National Health and Medical Research Council (NHMRC) rules for publications and non-traditional research outputs (NTROs). These stakeholders include colleagues from the Library, Digital Research Support Team, Research Portfolio (our Research Office), researchers and faculty administration staff.

All stakeholders agree that the addition of definitions, revisions and clarifications of the OA Policy, and creation of companion FAQs are evolutions that improve clarity and facilitate compliance.

In this letter I will make some general comments on themes emerging from the feedback and briefly touch on areas where stakeholders sought clarifications, raised questions and suggested refinements or improvements. These issues are repeated in more detail in the attachment under section headings – I have left the technical feedback from consultation largely unedited.

Briefly, we strongly support the intention of the ARC and the NHMRC, as expressed through the OA Policy, to distribute the outcomes of the important research they fund quickly, widely and effectively, at no additional cost to the public. We welcome the opportunity to contribute to the ongoing refinement of the ARC's OA Policy and associated FAQs for clarity, to reflect trends in international practice in scholarly communication, and to align with the NHMRC's OA policy framework.

We applaud the ARC's recognition of the importance of non-traditional research outputs. The inclusion of NTROs in the OA Policy will enhance and extend the impact of funded research on culture and society. However, the unique nature of NTROs and the absence of agreed standards around archiving and access to NTROs raises challenges for researchers and institutions as they define, capture and preserve NTROs, and negotiate licensing with partners to comply with the OA Policy. Institutional responses may take some time to develop – and perhaps a settling in period is in order. These considerations are discussed further in the attachment.

The adoption of the AusGOAL licensing framework is seen as a positive step towards a broader definition of Open Access by stakeholders in the University Library and Digital Research teams. While the ARC recommends CC-BY as the most open licence,



international experience suggests researchers prefer other licences in the AusGoal framework that afford more control on reuse.

The OA Policy does not explicitly acknowledge the major shift in scholarly communication toward “gold” or paid open access publishing models, in particular the payment of article processing charges (APCs). This raises a number of issues around the use of ARC funds for “publication and dissemination of Project Research Outputs and outreach activity costs”. Should ARC grant funding be used to support publishing practices antithetical to the ARCs OA policy to freely disseminate findings?

It would be useful for researchers, and research support staff, to have guidance in the FAQs regarding appropriate use of funds to cover APCs and other publication costs in accordance with the ARC funding rules.

Finally, we do ask the ARC to communicate and consult widely with the ARC researcher community before implementing the proposed changes, preferably before the busy grant period at the beginning of the year 2018.

Please contact Grant Cruchley, Senior Manager, Research Policy and Analysis, DVC Research Portfolio (grant.cruchley@sydney.edu.au) if you would like to discuss any aspect of this submission.

Yours sincerely,

Signature removed for electronic distribution

Professor Duncan Ivison
Deputy Vice-Chancellor (Research)

Attachment
University of Sydney - 2016 Review of ARC Open Access Policy and FAQs

ATTACHMENT

UNIVERSITY OF SYDNEY - 2016 REVIEW OF ARC OPEN ACCESS POLICY AND FAQs

1. The Australian Research Council.

No comments.

2. Definitions

The definitions section adds clarity, as does the move of the additional guidance on adhering to the policy out of the policy document and into FAQs.

Open Access

The definition of open access is necessarily broad, encompassing both access AND reuse rights. While the definition accords with international statements on open access (for example, the *Bethesda Statement on Open Access Publishing 2003*¹), and while the University encourages the application of open licences where possible, in practice many of the accepted manuscripts we make available via open access repositories or open access publishing are still “all rights reserved” even though the work is free to access. The current definition may exclude some green open access outputs (archived outputs) and open access journals where the publisher remains the copyright owner of the work.

AusGOAL and open licensing

The recommendation to implement AusGOAL licensing framework is a positive step towards the broader and more flexible and open definition of “open access” described in the definitions.

Research Output

The clarification of the broadened scope of “Research Output” is useful. See comments under [FAQs Item 2](#). For non-traditional research outputs (NTROs). While ARC recommends CC-BY as the most open license, international experience suggests researchers prefer other licenses in the framework that afford more control on reuse, such as CC BY NC, or CC BY ND.

3. Purpose

Support this statement.

4. Scope.

No comments.

5. Commencement.

No comments.

6. Policy Requirements.

6.2.2. Location of Research Outputs.

The broader requirement that research outputs needed to be made openly accessible in an institutional repository has been replaced by a simpler requirement that research outputs are made openly accessible (via publication or repository) which brings the OA Policy draft closer current open access publishing practices.

The OA Policy does not explicitly acknowledge the major shift in scholarly communication toward “gold” open access publishing models including the payment of article processing charges (APCs). Gold AO raises a number of issues around the appropriate use of [ARC](#)

¹ Bethesda Statement on Open Access Publishing. See <http://legacy.earlham.edu/~peters/fos/bethesda.htm>



funds for “publication costs”. It would be useful for researchers, and research support staff, to have guidance in the FAQs regarding appropriate use of publication costs under the ARC funding rules.

For example, the ARC Funding Rules for schemes in the Discovery Programme (2016 Edition) which applies to 2018 Discovery Grants, list under A5.2 Budget Items Supported, A5.2.1.h. publication and dissemination of Project Research Outputs and outreach activity costs.

Can these funds be used to pay for “gold” open access? Should ARC grant funding be used to support publishing practices antithetical to the ARCs OA policy to freely disseminate findings? For example, is it appropriate to use ARC grant funding for publication in outlets where outputs may never be made OA, or do not grant open licences that include broad reuse rights?

6.3 Requirements for Metadata

There are conflicting time-frames for publishing metadata in the Institutional Repository (IR): 6.1, 6.3.1 & 6.6.3 say “immediately upon publication” whereas 6.6.2 says “as and when they become available”.

6.6.2 states that:

*The Project Leader, Fellow, Awardee or Director will be responsible for ensuring that the **Research Output Metadata, as and when they become available, are provided to an Institutional Repository.** This may also be managed via the institutional research administration office.*

The following clause 6.6.3 states:

*The Institutional Repository manager will be responsible for ensuring that **Research Output Metadata are immediately available to the public upon Publication, regardless of whether the Published Research Output has been made Openly Accessible, is under embargo, or is never to be made Openly Accessible.***

Research offices and university libraries can gather and publish research output metadata records on behalf of researchers within a reasonable timeframe, but “*immediately upon publication*” is almost impossible in practice. Suggestions for reworking these two clauses are included below under “general comments: voice”.

6.6. Roles and responsibilities.

There was general agreement among stakeholders about the proposed assignment of roles and responsibilities to Administering Institutions, Projects Leaders and Institutional Repository Managers which map well onto structures at this university. Some flexibility may be needed to embrace the diversity of organisational structures and infrastructure across the sector.

FAQS

2. TO WHICH TYPES OF RESEARCH DOES THE POLICY APPLY?

Non-traditional research outputs (NTROs)

As noted in the covering letter, the unique nature and the absence of agreed standards for NTROs raises challenges for researchers and institutions as they define, capture and curate NTROs, and to negotiate licensing with partners to comply with the OA policy.

Among the issues reported by stakeholders were:

- The absence of agreed guidelines or standards for NTROs supported by the ARC institutions to assist institutions to identify and decide which outputs are to be reported. Institutions will have to develop their own.
- *Third parties may hold copyright over a significant subset of NTROs;*
- Institutional Repository Managers will need to work out appropriate standards for the long term archival preservation of born digital non-traditional research outputs such as software, visualisations, artworks, animations and websites;
- There are likely to be complexities around considerations of privacy, confidentiality, IP and commercialisation; and cultural protocols to be observed; and
- Where an ARC grant results in an NTRO *and* a traditional publication that publishes the research findings, would the NTRO need to be open access too? For example, a website or app will usually have a public face though some of the content may be password restricted or require payment. Is that sufficient to satisfy open access requirements?

Institutional responses to NTRO reporting may take some time to mature. And, it is also clear that ARC funded researchers producing NTROs should explore their potential research output with collaborators, experts in digital capture and preservation and the appropriate Institutional Repository managers – to understand the nature of the NTRO and its curation, and negotiate OA-friendly IP arrangements with 3rd parties wherever possible.

8. MY PAPER IS ON RESEARCHGATE. ISN'T THAT SUFFICIENT TO COMPLY WITH THE POLICY?

The note and clarification regarding commercial social networking sites such as ResearchGate will be useful for both researchers and support staff. We encourage academic staff to archive their research outputs in the University's institutional repository and embed links in social media such as ResearchGate and Twitter, to promote their work.

8. (2) WHICH VERSION OF A TRADITIONAL RESEARCH OUTPUT (MANUSCRIPT/REFEREED JOURNAL ARTICLE/REFEREED CONFERENCE PAPER) NEEDS TO BE MADE OPENLY ACCESSIBLE?

In FAQ 8 (2), we recommend using and pointing to the NISO "Journal Article Versions" definitions document for journal article naming conventions. Available from <http://www.niso.org/publications/rp/RP-8-2008.pdf>

FYI – there are two FAQ 8s on page 11 of the draft OA Policy.

GENERAL COMMENTS

Voice

One stakeholder has suggested simplifying the language to aid comprehension.

The phrase "...*responsible for ensuring that the...*" could be simplified and replaced with "must" or "will" (for mandatory actions) or "should" or "may" (for recommended actions and good practice).

For example, instead of:

"The Project Leader, Fellow, Awardee or Director will be responsible for ensuring that the appropriate copy, recording, rendering or documentation of the Research Output is either:



- *provided to an Institutional Repository to be made Openly Accessible in the Institutional Repository within twelve months of the Publication Date, or*
- *made Openly Accessible somewhere other than an Institutional Repository within twelve months of the Publication Date.”*

Alternative:

“Project leaders/Fellows/Awardees or Directors must:

- *publish the Research Output in an open access journal or other openly accessible publishing platform, or*
- *provide the appropriate copy, recording, rendering or documentation of the Research Output to an Institutional Repository within 12 months of the publication date.”*

Instead of:

“The Project Leader, Fellow, Awardee or Director will be responsible for ensuring that the Research Output Metadata, as and when they become available, are provided to an Institutional Repository. This may also be managed via the institutional research administration office.”

Alternative:

“The Project Leader, Fellow, Awardee or Director must provide the Research Output Metadata to an Institutional Repository within [X] months of the publication date.”

Or alternative:

The Institutional Repository manager must make Research Output Metadata available to the public within [X] months of the publication date.

Depending on how the ARC decides to assign responsibility for the collection and dissemination of research output metadata.

Drafters could include a general statement regarding accommodating individual workflows at each institution in the FAQ, or as a separate line within the policy.