

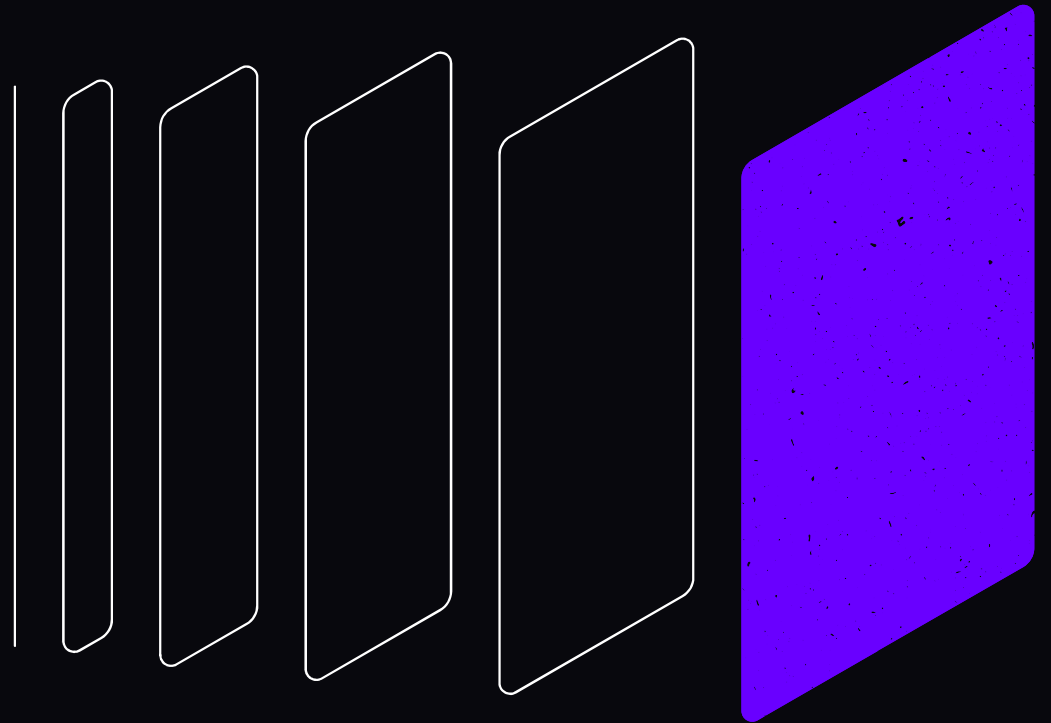


THE UNIVERSITY of EDINBURGH
Library

Rights retention in action: impact of the UOE Research Publications Policy after 12 months

Edinburgh Open Research Conference 2023

Theo Andrew
University of Edinburgh
Library & University Collections



Research Publications & Copyright Policy (1 Jan 2022)

- Confirms members of staff own the copyright to their scholarly works.
- Upon acceptance of publication each staff member **automatically** grants the University of Edinburgh a CC BY licence to their publication
- Applies to all scholarly articles, authored or co-authored while the person is a staff member
- Deposit the AM in a digital repository, with article metadata available immediately upon deposit and the AM being open access on the date of first online publication
- Opt out in case of difficulties
- Standard address convention (citations)
- Strongly encourages use of ORCID unique identifiers

Research Publications & Copyright Policy (2021) THE UNIVERSITY OF EDINBURGH

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 **graholders** 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 **graholders** to make their research outputs freely available by the official final publication date.
Furthermore, the recently announced Horizon Europe **programms**, which is world's largest multinational research and innovation **programms**, 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.

Contact Officer: Dominic Tate, Head of Library Research Support, dominic.tate@ed.ac.uk

Document control

Dates	Approved: DDMMYY	Starts: DDMMYY	Equality impact assessment: DDMMYY	Amendments: DDMMYY	Next Review: DDMMYY
		01.01.22	28.07.21		2022/2023

Approving authority: University Executive

Consultation undertaken: Library Committee, College Research Committees, Research Policy Group, Knowledge Strategy Committee, Human Resources Policy Development Group, UCU Scotland.

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)

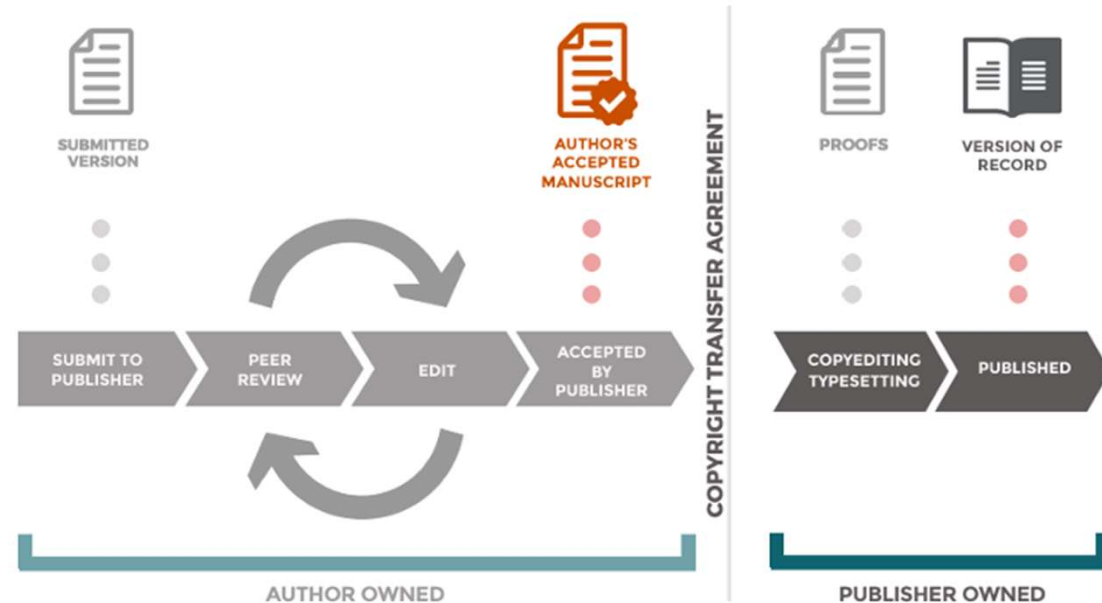
Alternative format: If you require this document in an alternative format please email Academic.Services@ed.ac.uk or telephone 0131 651 4460.

Keywords: Open access, publication, copyright



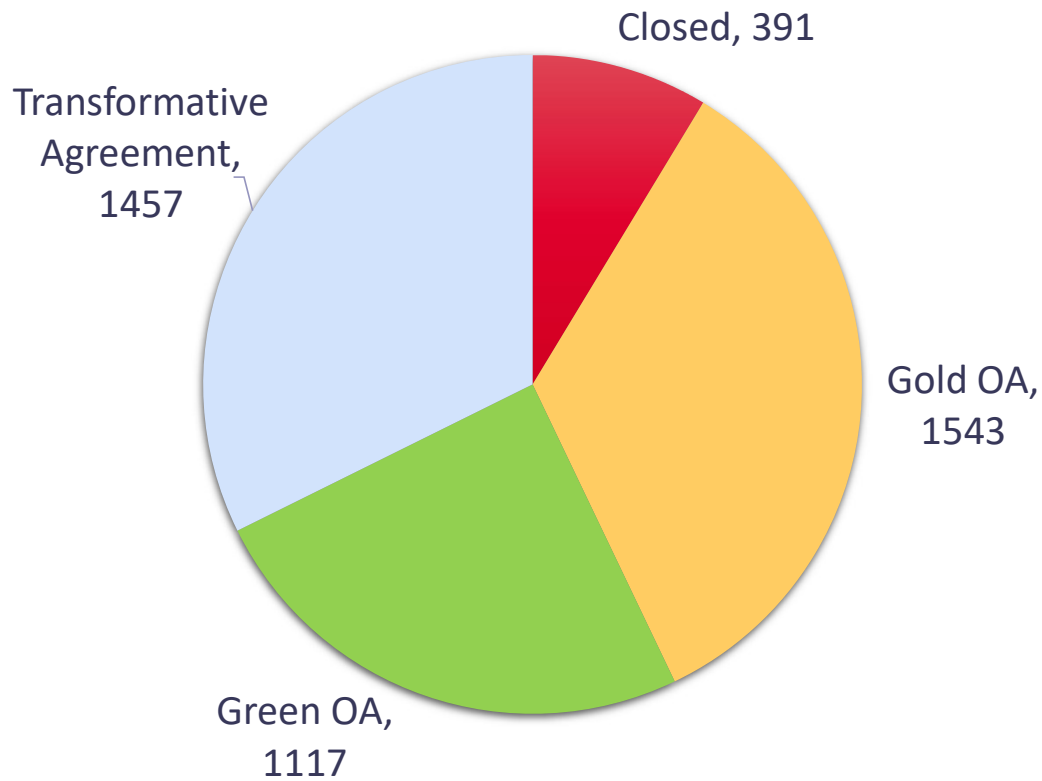
Legal basis (cutting the publishing Gordian Knot)

- Our Institution has been granted an irrevocable prior licence by the copyright owner to publish the accepted manuscript.
- Some publishers (not all) assert that their licensing terms will supersede any other prior agreements.
- Commonly these are click-thru licences which are impossible to edit/change.
- Asking authors to sign these licences is procuring a breach of contract if the publisher knew about the prior contract, encouraged another person to break it, and prevented the terms of the original licence.
- If a publisher objects to immediate open access, and seeks to prevent this they are opening themselves up to a legal claim which they are unlikely to win.



“ *With an institutional policy offering a route to immediate open access through self-archiving, the authors are not acting as individuals, but have the weight of their institution behind them which empowers them to act.* ”

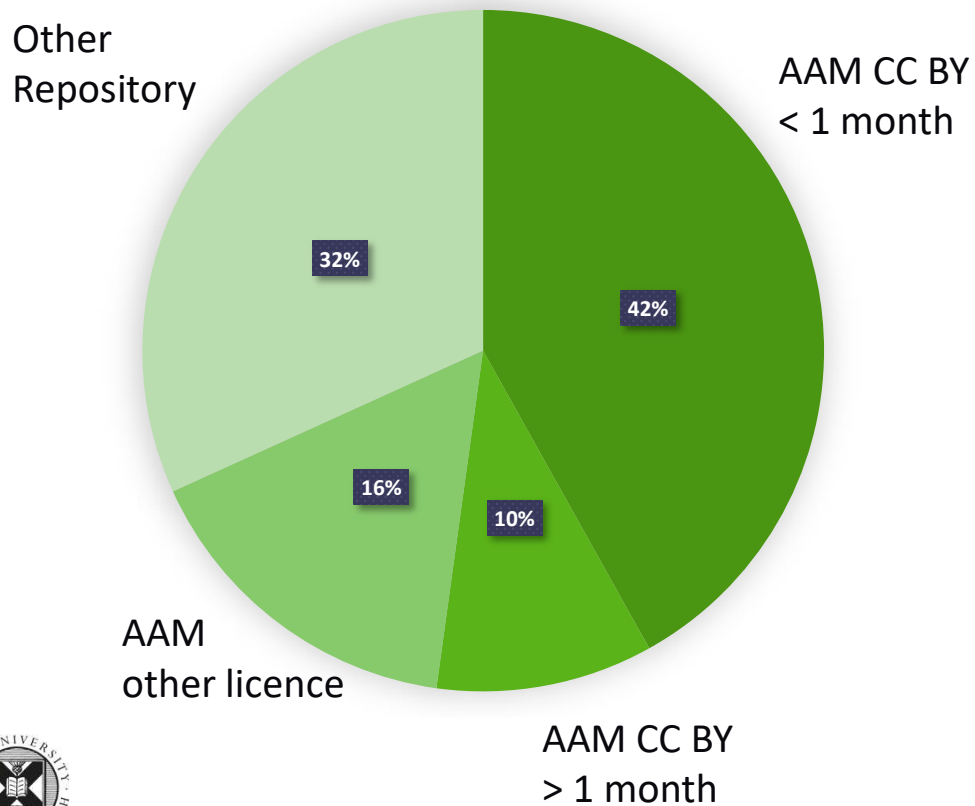
UOE Open Access Publication Routes 2022/23



	#articles	Percentage
Closed	391	8.7%
Gold OA	1543	34.2%
Green OA	1117	24.8%
Read & Publish	1457	32.3%
Grand Total	4508	100%

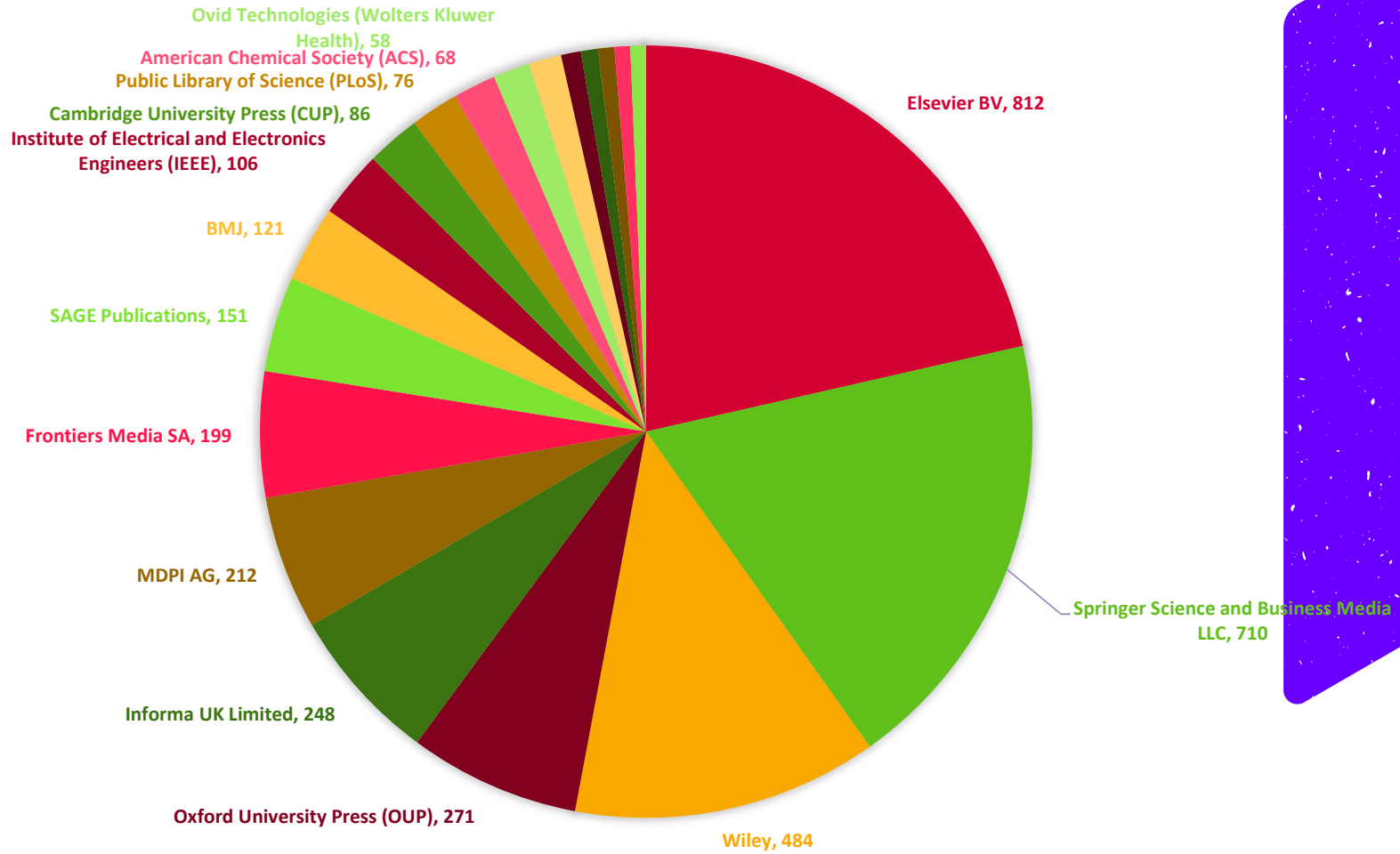


Green OA: timing & licence types



Type	#	%
AAM CC BY < 1 month	468	42
AAM CC BY > 1 month	115	10
AAM other licence	179	16
Other Repository	355	32
Total Green OA	1117	100

UOE POPULAR PUBLISHERS 2022/23



Rights Retention Statement included in papers

Acknowledgements

This research was funded by the UK Engineering and Physical Sciences Research Council (EPSRC) grant EP/R005877/1. For the purpose of open access, the author has applied a Creative Commons Attribution (CC BY) licence to any Author Accepted Manuscript version arising from this submission. We thank Kevin Stratford (EPCC) and James Young (University of Edinburgh) for their helpful comments during development of this wear model.

It is interesting to note that a Rights Retention Statement (RRS) was **only included in 197 articles (4.4%)** submitted and accepted for publication during the first year of the policy.



In the first year of the Research Publications & Copyright policy there were 9 requests to opt-out of the policy, which were grouped into three main themes illustrated by these quotes:

1. “Small publisher. No self-archiving policy.”

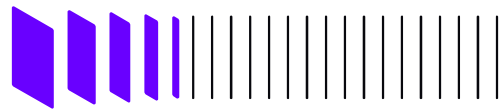
2. “Co-authors did not add in rights retention statement to work.”

3. “Publisher permits making the published version of the article open access, but without a Creative Commons license.”





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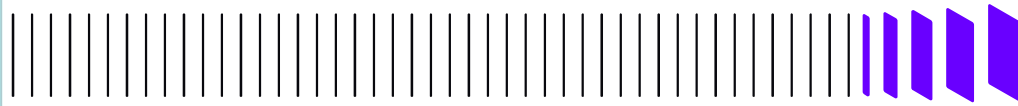
<https://sje30.github.io/rrs/rrs.html>

Plan S
Making full & immediate Open Access a reality

THEO ANDREW
@earthowned

Our policy is an affirmation that the University of Edinburgh fully supports authors in their open access practices.

<https://www.coalition-s.org/blog> sOApbox



17 institutions in the UK now have a RRS policy. Who will join us next?