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Dear Janet,

## **PROGRESS REVIEW: IMPLEMENTING FINCH REPORT RECOMMENDATIONS**

I am grateful to you and members of the former 'Finch Group' for your excellent report, "A Review of Progress in Implementing the Recommendations of the Finch Report", received on 15 November 2013. We remain committed to our Open Access policy of a strong preference for Gold OA and acceptance of Green OA.

Your insightful report conveys how OA is a complicated mix of technical, operational, commercial and cultural challenges. Variation between disciplines has to be recognised and, as the UK Decision Tree illustrates, a transition period allowed for a subtle re-engineering of the research publications market. The UK has helped to lead an international debate and set a direction of travel for globally increased OA to publicly funded published research. This will benefit researchers, the public and business and contribute to innovation and economic growth.

Your report's 14 recommendations appear to fall under the four themes addressed below; policy, cost and sustainability, international considerations and future developments.

## Policy

- 1. The pace of change should be maintained whilst setting greater clarity of direction, in line with the recommendations we set out below on the development of the mixed economy.**
- 3. We reaffirm our support for a mixed economy in which Gold and Green OA - the latter with appropriate embargoes - both play important roles in a transition period that will last for the foreseeable future. In that context, we also reaffirm our recommendation for a clear policy direction set towards support for Gold OA.**
- 7. We believe that major funders' current positions on embargoes strike the right balance. The decision tree adopted by RCUK provides a useful summary and should be fully reflected in the advice and guidance provided by funders, universities and publishers to researchers.**

Government welcomes these recommendations. Indeed, Select Committees have endorsed the Government's direction of travel and preference for Gold OA. Government upholds the UK Decision tree as the basis for operational decisions by Higher Education Institutions (HEIs), researchers and publishers. The UK approach to embargo periods strikes the right balance. I set out the UK's decision to "go for Gold" in my Berlin speech of 20 November 2013 at [www.gov.uk/government/speeches/open-access-research](http://www.gov.uk/government/speeches/open-access-research)

The Higher Education Funding Bodies' future conclusion on their OA requirements for the next iteration of the Research Excellence Framework will enhance Government policy.

## Cost and Sustainability

- 4. Universities, funders and publishers (including learned society publishers) should keep under review, in a co-ordinated and transparent way, key elements that feed into current uncertainties about costs and funding, and undertake further cost-modelling.**
- 5. Universities, Jisc, funders and publishers should work together, within the constraints of competition law, to consider whether and how, expenditures and revenues for APCs and journal subscriptions might be offset against each other. All parties recognise both the significance and complexity of these issues.**
- 9. The co-ordinating structure we recommend should monitor the impact of OA policies on learned societies, and co-ordinate moves to assist learned societies to develop their business models in order to achieve sustainable futures.**

Publication of research results is an essential part of the research process, hence the cost of publication is a valid call on research funding. Gold OA allows for this cost to be met in an honest, competitive way. Research Councils UK's (RCUK's) allocation of funding to HEIs for their respective Publication Funds, and the willingness of Funding Councils for HEIs to choose to draw on their funding, demonstrates funders' commitment to helping HEIs meet the cost of Article Publication Charges (APCs) for Gold OA. Even so, some HEIs maintain a preference for Green OA. Government understands their concern about the total cost of publication. Research intensive HEIs face a potentially significant cost for APCs whilst also sustaining subscriptions to published international research.

Government wants HEIs to fully participate in the take up of Gold OA and create a better functioning market. Hence, Government looks to the publishing industry to develop innovative and sustainable solutions to address the 'double-dipping' issue perceived by institutions. Publishers have an opportunity to incentivise early adoption of Gold OA by moderating the total cost of publication for *individual institutions*. This would remove the final obstacle to greater take up of Gold OA, enabling universal acceptance of 'hybrid' journals.

Government welcomes efforts by Jisc Collections to develop sustainable funding models that establish a relationship between the payment of APCs (and the costs of administering them) and subscription fees for an institution. The details must be for Jisc Collections and other parties, including publishers, to determine and agree, but Government would encourage three key principles to enable a commercially sustainable transition to a higher proportion of Gold OA: (i) a meaningful proportion of an Institution's total APC costs with a publisher to be offset against total subscription payments with that publisher (or vice versa, a proportion of subscription payments offset against total APC costs); (ii) a sliding scale be applied to this proportion to incentivise use of Gold OA and (iii) a limit applied to the total value of offset for an Institution, taking into consideration administrative costs incurred by both the Institution and the publisher. Whilst addressing the 'total cost of publication' concerns of the research community, we need to also ensure that publishers have sustainable business models, since the risk of 'link rot'<sup>1</sup> needs to be minimised.

Government will look for firm evidence of such initiatives by publishers in RCUK's independently chaired review to be held in late 2014.

Decisions by researchers and HEIs should create a more competitive "substitute good" market. HEIs need to ensure that they do not inadvertently reduce competitive pressure on the price of APCs. HEIs should avoid becoming locked-in, without the opportunity for review, to long duration contracts for bundled APCs. Government's objective is to retain a thriving research publications industry in the UK - one exposed to healthy competition will have a beneficial effect on innovation in a sustainable way.

Government welcomes the co-ordinating role for UUK monitoring the impact of OA policies on Learned Societies. Science policy or business schools could apply their analytical skills to the challenge of developing sustainable business models for Learned Societies.

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<sup>1</sup> 'Link-rot' can occur for a number of reasons but here the risk is seen to be from publishers/learned Societies going out of business due to an unsustainable business model. See [http://en.wikipedia.org/wiki/Link\\_rot](http://en.wikipedia.org/wiki/Link_rot)

Government has also commissioned a study from Matrix. This will indicate the feasibility of undertaking a Full Cost Benefit Analysis (FCBA) of the impact of the UK's OA policy, building on the work of the first Finch Report. If feasible, a FCBA might clarify whether there is a net economic benefit from funding APCs for Gold OA over using the same funding for additional research. BIS have already estimated that the cost of the Government's OA policy is a marginal one percent of the science base budget. The Matrix feasibility study may show that a FCBA is not feasible or necessary, if indicative costs and benefits of the policy derived from the feasibility study prove to be sufficient information for our needs. Once the Matrix study has been completed, we will take a further decision about whether to pursue a FCBA.

## International Developments

***6. The Government and funders should remain active in seeking to influence and co-ordinate appropriate policy at an international level through bodies such as Science Europe, the EU, the Global Research Council, and the G8; and share the emerging evidence as to the impact of policies in the UK.***

Although the UK produces a high percentage (six per cent) of global research, in proportion to its share of global population (one percent) and an even higher proportion of the highest quality most cited research (16 per cent), 94 per cent of the global research output is not subject to the UK's OA policy.

To address this potential imbalance between national and international treatment of OA policy, the UK has been engaged in discussions with international parties. I was pleased to note that the EU will, as per the Commission's recommendation, require OA in Horizon 2020. This will allow for both Gold and Green OA to be used. The UK has conveyed the merits of its preference for Gold and its nuanced policy on Green<sup>2</sup> to the Commission through my correspondence with Ms Neelie Kroes, Vice President of the European Commission. Most recently my official Ron Egginton, the UK's National Reference Point (NRP), has met with EU NRP colleagues.

I discussed OA with G8 Science Ministers in June 2013. Further discussions to share experience and best practice will be hosted by RCUK on 20 March 2014 with representatives of the G8.

RCUK will continue to represent the UK's policy approach on OA to both Science Europe and the Global Research Council. The UK is committed to engaging in such international discussions and sharing the results of its analysis and findings, such as the Matrix feasibility study, in a transparent way.

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<sup>2</sup> Unlike the Commission which insists on embargo periods for Green OA of 6/12 months for Science Technology and Mathematics (STEM) and the Arts Humanities and Social Sciences (AHSS) respectively, the UK allows longer embargo periods of 12/24 for STEM/AHSS respectively when there is no funding available to pay for Gold APCs (the exception being a requirement of only six months at all times for biomedicine).

The announcement made by Sander Dekker, the Dutch Secretary of Education, on 16 November 2013 favouring Gold OA, indicates that the debate is live internationally. The Netherland's strong preference for Gold OA was confirmed in the Meeting of the Commission of Science Policy of the Parliament on 4 December. Even so, the UK acknowledges that there is a long way to go to a globally harmonised approach to OA policy. The UK will continue to play its part in facilitating the international coordination of national efforts towards that goal.

## Future Developments

### Public Library Initiative

***10. We look forward to the full launch of the public libraries initiative, and recommend that publishers and public librarians, with the help of their colleagues in universities, consider how to market it effectively, and to provide high-quality guidance material.***

Government has been extremely pleased to see how publishers have tenaciously pursued their welcome proposal for a Public Library Initiative (PLI) in the national and public interest. The technical trial was successfully completed in December and I will shortly be announcing, with the Publishers' Association and the industry, the launch of the PLI.

### Extension to Licensing

***2. There needs to be a renewed emphasis on implementing our recommendations on improving access within the UK to the global outputs of research through licence extensions and similar initiatives (see also recommendations 10-12) alongside our recommendations on outputs produced by UK authors.***

***11. We welcome the work that Jisc is doing to investigate options for extensions to licensing, and recommend that further discussions should be initiated through the co-ordinating structure we recommend below to explore how to provide licensed access to more journals, and to people and organisations in sectors beyond universities and research institutes.***

***12. Government should give further consideration, in the light of the work of Jisc and other organisations, to allocating some pump-priming funding to facilitate the extension of licensed access to SMEs and third sector organisations which could benefit from this.***

Government recognises that it has not placed as much emphasis on addressing the possibility of licensing extensions as it has on facilitating the take up of Gold OA. This was primarily a prioritisation and finite resource issue. Available resources were utilised to promote the take-up of Gold OA which has the advantage of negating the need for any licence for access. Now that the creation of Publication Funds and the emphasis on Gold OA is becoming understood, the opportunity will be taken to engage with Jisc, Universities UK, HEIs, funding agencies and publishers to consider what more may reasonably be done to develop licence extensions to benefit SMEs (such as for freely accessing globally sourced published research).

## Governance

**8. As the implementation process develops further, we recommend that the co-ordinating structure we propose below should keep funders' rules relating to embargo periods under review, with active steps taken to gather evidence on their impact on different kinds of journals and in different disciplines; and to gather systematic data on trends in journals' policies with regard to embargoes via a service that is accessible to all stakeholders and is comprehensive, accurate and up-to-date.**

**13. Through the co-ordinating structure we outline below, universities, funders and publishers should continue and enhance their work with Jisc and others to develop the infrastructure of repositories for UK publications; and more generally to develop the technical infrastructure to support both Green and Gold OA, in order to promote greater interoperability and more efficient flows of information between different systems.**

**14. A formal co-ordinating structure should be established, convened by Universities UK, to secure dialogue and engagement across all the stakeholders in research communications; to co-ordinate their work and avoid duplication or divergent efforts in areas including development of the infrastructure, evidence-gathering, monitoring, and communications; and to deal with issues and problems as they arise.**

Government welcomes the willingness and enthusiasm that Universities UK (UUK) has demonstrated for taking up the challenge of sustaining a coordinating structure to ensure that the momentum behind the Finch Group process is not lost.

UUK proposes to work with all of the stakeholders to ensure that HEIs can manage a transition to OA and effectively comply with policy requirements. UUK will monitor and develop evidence on the impact of OA in HEIs and inform policy and future reviews, such as the RCUK review in late 2014. We are pleased that UUK will take on this important coordination role with the support of key stakeholders. Having consulted stakeholders, UUK is in the process of defining proposals on governance and the scope and implementation of this future work.

UUK's new role and Jisc's ongoing activities will complement the interests of the Government's Research Sector Transparency Board (RSTB) that I Chair. I envisage the RSTB wanting to improve the coordination of repositories and access to data as the OA agenda develops

Under your outstanding guidance as Chair, I feel that the Group's 'one year on' report has helped us to make further progress in a most constructive way. I would like to thank members of the 'Finch Group' for the invaluable contribution that they have all generously made.

During 2014 I look forward to hearing about UUK's experience with their planned activities and being informed by the observations and conclusions reached by RCUK in their first independent review at the end of this year.

A handwritten signature in black ink that reads "Yours ever". The "Y" is a large, sweeping letter that starts high and curves down to the left, then loops back to the right. The "ours ever" is written in a cursive, lowercase style.

A handwritten signature in black ink that reads "David". The "D" is a large, bold letter with a thick vertical stroke and a curved top. The "avid" is written in a cursive, lowercase style.

**THE RT HON DAVID WILLETTS MP**

