

# RCUK Policy on Open Access Frequently Asked Questions

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**LAST UPDATED: 19 October 2020**

## **Updates October 2020**

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3.15 Can the Open Access block grant be used to fund open access processing charges for book chapters?

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## Questions with Answers:

### 1. What is covered by the policy?

#### **1.1 If my project has funding from another funder as well as RCUK, does it also need to comply with the RCUK policy?**

Yes, the RCUK policy covers all relevant publications which acknowledge funding from the UK's Research Councils. If more than one funder is acknowledged, and one (or more) of them is a Research Council, then the RCUK policy applies.

#### **1.2 My research is funded by a commercial partner as well as RCUK, does it need to comply with the policy?**

Yes, the RCUK policy covers all relevant publications which acknowledge funding from the UK's Research Councils. If more than one funder is acknowledged, and one (or more) of them is a Research Council, then the RCUK policy applies. As peer-reviewed publications are considered to be in the public domain, albeit often requiring a subscription to access, there is no limitation to making the text available in open access due to commercial sensitivity.

#### **1.3 My research is in collaboration with partners overseas, do I still need to comply with the policy?**

Yes, the RCUK policy covers all relevant publications which result from research partly or completely funded by RCUK and acknowledges funding from the UK's Research Councils. If more than one funder is acknowledged, and one (or more) of them is a Research Council, then the RCUK policy applies. RCUK funded researchers should ensure that collaborators are aware of all the terms and conditions of the project funding as soon as possible, and that the obligation to publish results in Open Access is included in collaboration agreements. The Research Councils funded authors are expected to take the lead in ensuring that the paper is made immediately available on publication or self-archived in an appropriate repository. The Research Councils are also actively engaging with funders internationally; as more and more funders implement policies in support of open access publishing it is likely that this issue will only occur in exceptional circumstances.

#### **1.4 I am a student funded by one of the Research Councils. Does the policy apply to the papers that I publish?**

Yes, the RCUK Open Access Policy applies to student awards, and therefore relevant publications must be made available in open access.

#### **1.5 Is it anticipated that additional types of research output might be included in this policy at a later date?**

The Research Councils take very seriously their responsibilities in making the outputs from publicly funded research freely available – not just to other researchers, but also to potential users in business, charitable and public sectors, and to the general tax-paying public.

Whilst peer-reviewed research papers, reviews and conference proceedings cover a large part of publicly funded research outputs, it does not include all forms of publications. The Research Councils will therefore consider, as part of the planned policy reviews, whether it is appropriate to extend the policy to include other forms of publications. There are no plans to do so at this current time. The Research Councils also have a common position on data sharing, summarised in the RCUK Common Principles on Data Policy (see <https://www.ukri.org/funding/information-for-award->

[holders/datapolicy/common-principles-on-data-policy/](#) ), as well as individual policies on data sharing.

**1.6 The RCUK guidance says that the payment of colour charges and page charges may also be taken from the block grant at the discretion of the managing research organisation; is this the case even when an APC has been paid?**

Yes. However, it is unclear why such charges are sometimes levied in addition to the APC, especially as such costs apply mainly to printed journals. RCUK (and others) will be monitoring this practice and the cost of paper colour charges.

**1.7 My project has been funded by NC3Rs. Do I have to comply with the RCUK policy and will APCs related to my publication be paid from the block grant?**

Yes. The National Centre for the Replacement Refinement and Reduction of animals in research (NC3Rs) has adopted the RCUK's policy on open access of publications and the policy applies to all relevant publications covered by the policy which acknowledge NC3Rs funding. Any publication arising from NC3Rs- funded research should be deposited into Europe PubMed Central at the point of publication or within six months at the latest. The NC3Rs contribution to Article Processing Charges (APCs) is paid for via the MRC contribution to the RCUK block grant (<https://www.nc3rs.org.uk/grant-holder-information>).

**1.8 What types of grants does the RCUK Open Access policy apply to?**

The RCUK open access policy applies to articles (and other applicable publications) resulting from any research that is either partially or entirely funded by RCUK. This includes grants awarded by boards and panels, awards covering core programmes at research institutes and grants awarded as part of special initiatives.

**1.9 Does the RCUK OA Policy cover commissioned review and/or invited review?**

In the case where the publisher/editor was asking a researcher to give their time to write something at their request, then the researcher (and their funder) should not on top be asked to pay a fee for open access. The block grant should not be used to pay for it, but nevertheless we would recommend trying to make the publication open access, either by asking the publisher to waive the APC or by self-archiving. We would also advise researchers to agree upfront with the editor that they will only write a review if it will be published as immediate open access at no extra costs.

**1.10 Does the RCUK OA Policy cover commissioned review and/or invited review?**

Publications by authors in the "money follows researchers" scheme only fall under the RCUK policy if it acknowledges funding from Research Councils. Please note that only UK research organisations are eligible for block grants, and you should check with your research organisation if they have been awarded the RCUK open access block grant.

## **2. Going 'Gold' or 'Green'**

**2.1 Do researchers have the freedom to choose the green route even if the publisher offers a 'gold' route?**

Yes: although the Research Councils' preference is for immediate unrestricted open access ('Gold'), they support a mixed approach to Open Access, and the decision on which route to follow remains

at the discretion of the researchers and their research organisations. Where publishers offer a Gold Route, but the researcher chooses green, papers should be published in a journal with a maximum embargo of 6 months for STEM funded disciplines, or 12 months in the arts, humanities and social sciences funded research. Research papers in biomedicine should be published with an embargo of no longer than six months, as has been the MRC's mandated policy since 2006.

## **2.2 What happens if there is no money to pay for 'Gold' but my preferred journal does not offer a compliant 'green' option?**

In circumstances where block grant money for APCs is unavailable, a longer embargo period is permitted, papers should be published in a journal with a maximum embargo of 12 months for STEM funded disciplines, or 24 months in the arts, humanities and social sciences funded research. Research papers in biomedicine should be published with an embargo of no longer than six months, as has been the MRC's mandated policy since 2006. Institutions will need to manage their RCUK OA funding to be able to support this requirement. If the preferred journal does not offer such embargo period, then either an alternative journal will need to be chosen, or the research paper will not count towards their institution's compliance target for OA.

## **2.3 I am a biomedical researcher, and funding is not available from my research organisation to pay for the APC in my chosen journal. Can I self-archive my article instead?**

In order to be compliant with the RCUK Open Access policy, all research papers in biomedicine must be made available in open access in Europe PMC with an embargo of no longer than 6 months, as has been the MRC's mandated policy since 2006. This applies in all circumstances. If funding is not available to pay APCs, and the journal in which the researcher is planning to submit does not allow self-archiving in Europe PMC with a 6 months embargo, then another journal must be chosen, or the research paper will not count towards their institution's compliance target for OA. If the research is funded by MRC, in order to be compliant, the paper must be archived in Europe PubMed Central (<http://europepmc.org/>). This is often done automatically by the publishers whenever an APC is paid, but can also be done by the author via Europe PMC Plus (<http://plus.europepmc.org>)

## **3. RCUK OA Block Grant**

### **3.1 Is the block grant paid at 80% Full Economic Costs(fEC)?**

No, following discussions with the community, RCUK will not be expecting research organisations to provide the additional 20%.

### **3.2 My grant was awarded before the 1 April 2013 and I had already included publication costs. Should I still apply for costs to be covered by my Institution's Publication fund?**

Research Councils recognise that a significant amount of funding has already been awarded as part of existing grant to cover publication costs. Any funds specified for APCs within already awarded grants should be used before using the RCUK OA Block Grant.

### **3.3 Will RCUK make a grant to cover APCs to Research Organisations below the cut-off?**

No; RCUK has considered this at some length and concluded that it will not be cost effective to administer grants at this level.

### **3.4 How long are research organisations required to fund APCs for researchers?**

#### **Does this change if the researcher is no longer at the organisation at which they carried out their research?**

The duration of support that research organisations are required to provide for APCs resulting from research council funded research is a decision for the research organisation to make. Institutions may use the block grant in the manner they consider will best deliver the RCUK Policy on Open Access in a transparent way that allocates funds fairly across the disciplines and across researchers at different stages in their careers. The same principles apply to researchers who are no longer at the organisation but would have been eligible to apply for APCs resulting from their research at the organisation should they still have been employed by the organisation.

### **3.5 Can the RCUK open access block grant be used to make a PhD thesis openaccess?**

The primary purpose of the OA block grant is to pay for APCs, however, research organisations have the flexibility to use the grant as they see fit, provided this helps deliver the RCUK Policy on Open Access. The payment of licence fees for images to enable the thesis to be made OA is one of those areas where you have flexibility to decide if it is a good use of the block grant.

### **3.6 One of our researchers has recently published in a journal that offers the gold route but the author did not choose that before publication and therefore the article does not comply with RCUK open access policy. Can we use funding from the RCUK open access block grant to make the article open access?**

The decision as to when this is a good use of the RCUK open access block grant lies with the research organisation. It should always be the priority to make new articles open access, but where a research organisation has funds remaining, they may decide to make a recently published article compliant with the RCUK policy. However, where the article concerned has not been recently published, then the research organisation should consider the allowable embargo periods for the 'Green' route ( 6 months for STEM funded disciplines and 12 months for arts, humanities and social sciences funded research), and if the length of time from when the article was first published, to when it is being made publicly accessible exceeds the embargo period, then the article would not be compliant with the RCUK open access policy and open access block funding must not be used to make such outputs open access.

### **3.7 Can a researcher access open access block funding when they have used equipment or data funded by RCUK, but the project they are working on is not in itself funded by RCUK?**

Research organisations would not normally be expected to use RCUK open access block funding to fund open access costs for articles that fall into this scenario. However, research organisations should use their discretion, so if the use of the equipment or data has formed a significant part of the research, they could decide to fund any resulting open access costs from the block grant.

### **3.8 Can page/colour charges be paid if the article is not published under a CC-BY licence?**

Where an article is not made Gold open access (for example because the publisher does not offer a compliant Gold open access option), research organisations can choose to pay for page and/or colour charges if these are clearly indicated and of a reasonable amount. Where the publisher's charge is for open access or for any other publication charge other than page/colour charges, then the article must be made available under a CC-BY licence.



### **3.9 Can the block grant be used to pay for APCs etc resulting from research funded by Research England, Innovate UK or the UK Space Agency?**

Although Research England and Innovate UK are part of UKRI and support open access, there are differences in how it is funded as a result of legacy policies which pre-date the formation of UKRI. Therefore, under current policies the RCUK block grant cannot be used to support open access costs resulting from research funded by Research England or Innovate UK. However, UKRI is currently reviewing its policies on open access which will determine a single open access policy across UKRI.

The UK Space Agency is not part of UKRI and so the block grant cannot be used for this purpose.

### **3.10 Can the block grant be used to pay APC on a publication when: the lead author is not affiliated with the RO, which received the research council grant; the lead author was not involved in the grant; the grant was awarded to the PI whilst at another institution; or a PhD student has left the institution?**

If the publication results from research that is partly or completely funded by research councils, it should comply with the RCUK open access policy even if the corresponding author(s) or lead author(s) are not the PI on the research councils' grant. When researchers funded by research councils collaborate or share knowledge/data with others they have a responsibility to ensure that they are aware of the terms of the funding and open access policy obligations. This does not mean that the home institution of the principal investigator on the grant is automatically expected to pay the APC. The RCUK policy does not specify responsibilities for ensuring compliance between collaborators, this should be agreed among them. Where researchers change institutions, we leave it to the partners involved to decide who should pay. Institutions are best placed to judge the use of block grants in the manner they consider to best deliver on the RCUK open access policy.

### **3.11 Can block grants be used for APCs for publications resulting from activities indirectly funded by research councils, for example, the use of a research council's institute infrastructure?**

The block grant only takes into account grant funded research, not core funded research at UKRI institutes, therefore, block grant should only be used for publications arising from projects directly funded by the research councils via a grant. If the research council support is only indirectly linked to the research, the block grant should not be used to pay the APC for the resulting publication.

### **3.12 Can block grants be used for publications resulting from fellowships?**

Block grants applies to publications that acknowledge Research Council fellowship grants. Research grant and fellowship applications with start dates after 1 April 2013 are no longer permitted to include provision for Open Access. If the grant was awarded before 1 April 2013, you should advise the institution to check that publication costs were not already included in the grant. If they were included on the grant then block grant money should not be used. Institutions may use the block grant in the manner they consider will best deliver the RCUK Policy on Open Access in a transparent way that allocates funds fairly across the disciplines and across researchers at different stages in their careers. We expect that the primary use of the block grant will be for payment of APCs.

### **3.13 Block grant exhausted – How to cost OA charges on individual grants and fellowships when the open access block grant is exhausted?**

From 1 April 2013, it is not permissible to include open access costs on grants and fellowships. Block grants are not to be considered the only public funding that organisations may use to support open

access: it is legitimate to use funding received through, for example, QR allocations (see section 3.5 of the RCUK Policy on Open Access).

### **3.14 How is the Open Access block grant calculated?**

The method for calculating the Open Access Block Grants is as follows:

- All eligible organisations in receipt of Research Council funding are allocated a proportion of the total block grant fund based on their percentage of the total labour costs on grants over a three-year period (for 2020/21 awards, this is the total directly incurred and directly allocated staff costs on grants for the three-year period 2016/17 – 2018/19, as a proxy for the amount of research labour).
- A cut-off point is set at £10,000 for efficiency reasons; eligible organisations below the £10,000 line do not receive awards.
- The total grant fund is reduced further after accounting for the contribution towards the Sponsoring Consortium for Open Access Publishing in Particle Physics (SCAOP3).
- The individual allocations to eligible organisations are then recalculated for the remaining eligible organisations (those that are allocated above the £10,000 threshold), for the revised grant fund.

### **3.15 Can the Open Access block grant can be used to fund open access processing charges for book chapters?**

The RCUK Open Access policy does not cover monographs, books, book chapters, critical editions, volumes and catalogues, or forms of non-peer-reviewed material. However, we encourage authors of such material to consider making them Open Access where possible.

It remains permissible for grant proposals to request publication costs associated with the production of other types of research outputs that are not covered currently by the Open Access policy and publication costs for outputs such as monographs, books, critical editions, volumes and catalogues may be requested but, as with any cost, will still need to be fully justified within the application.

### **3.16 Can the Open Access block grant be used towards publisher Transformative Agreements?**

It is permissible for the Open Access block grants to support Transformative Agreements with no upper limit given that the following conditions are met:

1. Transformative agreements must meet the requirements specified here: <https://www.jiscollections.ac.uk/Transformative-OA-Reqs/>.
2. TAs must be negotiated and verified by Jisc Collections.
3. The cost of a TA charged to OABG must be based on an organisation's UKRI funded output or previous UKRI spend with that publisher using the publisher's methodology to calculate the 'publish' element of the agreement.
4. Expenditure from the OABG must be auditable and kept separate from open access expenditure paid from other sources of funding.

For further information please refer to our Transformative Agreement Guidance:

<https://www.ukri.org/files/updated-guidance-on-the-use-of-the-ukri-open-access-block-grant-for-transformative-agreements/>

## **4. Compliance**

### **4.1 What levels of Open Access does RCUK expect?**

In 2013/14 institutions were expected to make a minimum of 45% of their papers available via Open Access (Gold or Green). This increased to 53% in 2014/15. At the end of the transition period (2017/18) we expect researchers and institutions to be fully compliant with the policy, and for 100%

of research papers arising from the research we fund to be published in journals that are compliant with our policy on Open Access. This could be via either Gold or Green routes, but we also expect that by 2017/18, 75% of Open Access papers from the research we fund will be available via Gold open access.

RCUK has a preference for immediate, unrestricted OA (Gold) and has an expectation that the majority of the OA block grant funding it provides will be used to support the payment of APCs for Gold. However, RCUK also expect research organisations to stay within the cash limits of the grant, so where demand is high, this may require research organisations to balance out what is published via the Gold and Green Routes.

#### **4.2 How to achieve compliance when a publisher is not compliant with the RCUK open access policy?**

You may achieve compliance by depositing your research paper on a repository within the allowed embargo period. If the preferred publisher is not compliant with RCUK open access policy, then you might have to choose an alternative publisher. If this is not possible, then the research paper will not count towards your institution's compliance target for OA. We expect researchers and their institutions to follow the spirit of the RCUK Open Access Policy and strive to achieve full compliance. If there is a concern that the publisher's licence to publish is not compliant, we recommend you ask publishers to provide details if this is not available already, before the article is submitted.

#### **4.3 Are there sanctions for non-compliance to the RCUK OA Policy?**

There are currently no sanctions for non-compliance with RCUK Open Access Policy. We have set compliance targets, and we expect researchers and research organisations to follow the policy and strive to achieve full compliance.

## **5. Embargo periods**

### **5.1 If an article is based on work funded by MRC, AHRC and ESRC, what embargo period applies?**

In circumstances where research is funded by more than one funder, including multiple Research Councils, the shortest embargo period will apply, as otherwise Terms and Conditions attached to part of the funding would be breached. RCUK funded researchers should ensure that collaborators are aware of all the terms and conditions of their funders as early as possible, and that relevant wording stating the obligation to publish results in Open Access is included in collaboration agreements. As part of future review of the policy, the Research Councils will consider how maximum embargo periods can be further harmonised.

## **6. Licences**

### **6.1 My preferred journal's publisher refuses to allow me to use a CC-BY licence, what should I do?**

If your preferred journal refuses to allow a CC-BY licence then you should not opt to pay an APC as the journal does not comply with the RCUK policy through that route. The journal may however still comply if it allows deposit and full non-commercial re-use of the article after not more than 6 months (12 months in the case of Arts and Humanities research papers).

## 6.2 What licenses are compliant with the RCUK OA policy?

i) **Gold - (immediate open access):** Where an APC is paid, it is a requirement that the licence applied is CC-BY

ii) **Green** - (deposit of the final accepted manuscript in a repository, usually with an embargo): The RCUK preference is for CC-BY, however, the formal requirement is that the licence places no restriction on non-commercial reuse, including non-commercial text- and data-mining. The licence should also allow for the sharing of adaptations of the material. This means a CC-BY-NC licence, or equivalent is acceptable. A CC-BY-NC-ND licence is not compliant.

iii) **Open Government Licence (OGL)** - Crown Body employees e.g. from the National Archives, The Met Office etc (see <http://www.nationalarchives.gov.uk/information-management/re-usingpublic-sector-information/uk-government-licensing-framework/crown-copyright/uk-crownbodies/> for a full list) are subject to Crown Copyright under section 163 of the Copyright Designs and Patents Act 1988. However, in order to facilitate the re-use of a wide range of public sector information free of charge in accordance with the 2015 Regulations on the Reuse of Public Sector Information (PSI), the OGL has been introduced. When Crown bodies are involved in publicly-funded research collaborations with HEIs the research output should be made available using the OGL which allows a re-user, free of charge, to copy, publish, distribute, transmit, adapt and exploit information both commercially and non-commercial for the life of the work, providing the source of the information is acknowledged by including or linking to an attribution statement. (See <http://www.nationalarchives.gov.uk/doc/opengovernment-licence/version/3/> for further information.)

## 7. Accepted Manuscripts

### 7.1 Which version of an article is acceptable for deposit?

Peer-review is a crucial part of the quality assurance process for research, and RCUK wants to ensure that all users have access to research papers that have been peer-reviewed. RCUK will consider only versions 'as accepted for publication' when assessing compliance with its policy. The Accepted Manuscript is the version of a journal article submitted by an author that has been accepted for publication in a journal, and that has been through a peer-review process. The Accepted Manuscript is also known as the Author's Manuscript or Post print.

### 7.2 Who is responsible for deposit when an article has authors from different research organisations?

Each researcher is responsible to ensure they comply with the requirement of their funder and/or institutions in regard to Open Access and should ensure that all relevant acknowledgements are included.

When there is a requirement for the paper to be archived in a specific repository, such as Europe PubMed Central, usually the corresponding author will do so on behalf of all the authors.

## 8. Reviews of the policy and implementation

### 8.1 What have research councils done to review OA policy since its implementation in 2013?

UKRI is currently reviewing its OA policy with the view to align policies across UKRI's councils, with the UK Funding Bodies on future Research Excellence Framework policy, and to consider how Innovate UK should be included. Further details on the OA review is available on UKRI Open Access website <https://www.ukri.org/funding/information-for-award-holders/open-access/open-access-review/>.

## 9. Repositories

### **9.1 The choice of repository is normally at the discretion of the author and their research organisation. But to comply with the OA policy, what does RCUK consider to be an acceptable repository?**

RCUK supports the definition of a repository developed by Jisc, i.e: a repository is a set of services that a research organisation offers to the members of its community for the management and dissemination of digital materials created by its community members.

For a full definition see <https://scholarlycommunications.jiscinvolve.org/wp/2016/10/14/in-the-context-of-open-access-policies-in-the-uk-what-is-a-repository/>

### **9.2 Do I have to archive my publication in a specific repository in order to comply with RCUK policy?**

The choice of repository is normally at the discretion of the author and their research organisation. However, some Research Councils have a requirement that papers must be deposited in specific repositories. This is detailed in the terms and conditions of grants from individual Research Councils. To comply with the RCUK Policy on Open Access, the MRC requires all publications to be deposited at the earliest opportunity, and certainly within six months of publication, in Europe PubMed Central. This applies both during and after the period of funding. The condition is subject to compliance with publishers' copyright and licensing policies. Whenever possible, the article deposited should be the published version

(<https://mrc.ukri.org/research/policies-and-guidance-for-researchers/open-access-policy/>).

Although Europe PMC was developed primarily for papers in the biomedical field, all scientists funded by BBSRC should consider submitting papers; Europe PMC may be appropriate for papers from BBSRC funded research, please see Annex 2 of

<http://www.bbsrc.ac.uk/documents/safeguarding-good-scientificpractice/>

## 10. Refunds

### **10.1 Our research organisation has received a refund from one of the off-setting deals we subscribe to, how should we account for this?**

Any refunds/credits should be allocated back to the budget they were paid from. Therefore, if the initial cost was paid from the RCUK open access block grant, any refunds should be accredited back to this grant.

## 11. Finance

### **11.1 Research organisations receive invoices after the payment. How should invoices be managed that fall outside the block award period?**

If your research organisation has incurred a service but not paid a cash invoice, you can accrue the costs against your block grant in the year in which the services are received. This is an acceptable practice in accruals accounting and UKRI are happy for your research organisation to follow this procedure. You can account for expenditure on accruals basis and you should discuss the specifics with your Finance Teams. As each case may be different, we recommend you liaise with your Finance Teams to identify how this can be processed and it is the responsibility of each research organisation to manage their block grant in line with our policy guidance.