

# Transformative agreements: what NWO expects from publishers

## Preamble

This document outlines the minimal services NWO expects from publishers when they enter into contract with VSNU and/or UKB. This set of requirements complements the [Checklist Big Deals and Open Access clause](#) of the UKB consortium and the UKB model contract. Particularly this document specifies the requirements set forth by NWO in regards to Transformative Agreements. In accordance with the [Open Access 2020 Initiative](#), NWO takes the term 'Transformative Agreements' to apply to contracts negotiated between national consortia and publishers that transform the business model underlying scholarly journal publishing, from one based on toll access (subscription) to one in which publishers are remunerated on the basis of a fair price for their Open Access publishing services. The extent to which the below terms and conditions are met will determine whether NWO considers the agreement compliant with its Open Access policy.

## Context

NWO is the major research funding organisation in the Netherlands. Its mission is to advance world-class research that has scientific and societal impact. NWO has a long-time commitment to foster the transition to Open Access and is signatory to Plan S of cOAlition S. NWO will implement the requirements set out in the guidance to implementation in its grant agreements from January 1, 2021. This means that all peer reviewed scholarly publications arising from research funded by NWO must be openly available immediately upon publication (without embargo) according to one of the following three routes:

- Publication in a fully Open Access journal or Open Access platform which is registered in [DOAJ](#).
- Making the final published version (Version of Record (VoR)) or the Author's Accepted Manuscript (AAM) openly available in a repository which is registered in [OpenDOAR](#) immediately upon publication (zero embargo).
- Publication in a (hybrid) journal covered by a Transformative Agreement between a publisher and UKB / VSNU or a [Transformative Journal](#) approved by cOAlition S.

This policy will apply to all publications arising from grants awarded on the basis of calls for proposal published from 1-1-2021. Note however that NWO has an Open Access mandate since 2015 stating that all publications have to be made Open Access without embargo through any of the above routes.

In the Netherlands the responsibility for negotiating license agreements (including Transformative Agreements) lies with the national consortium [UKB](#) in close cooperation with the [Dutch Association of Universities \(VSNU\)](#). Normally NWO is not part of the consortium and does not take part in the negotiations. The understanding though is that agreements closed by UKB / VSNU aid compliance of NWO funded researchers with the NWO mandate .

# Terms and conditions

When a Transformative Agreement is negotiated between UKB/VSNU and a publisher, NWO expects that the following terms and conditions will be met. If one or more of the conditions are not met, NWO may decide to withhold its endorsement which ultimately may mean that the agreement is considered to not provide a compliant route to Open Access for NWO grantees.

## 1. 100% Open Access

The agreement shall allow all corresponding authors of Dutch research institutions participating in the agreement to publish Open Access in all (100%) venues of the publisher without embargo. For those journals that do not yet provide a gold or hybrid option the publisher shall offer a green option (zero embargo deposit of the Author Accepted Manuscript with open license as a minimum).

## 2. Copyright

The agreement shall allow authors and/or their institutions to retain their copyright without any restriction and any additional costs.

## 3. Licenses

All publications must be published under open licenses, preferably [Creative Commons Attribution CC BY 4.0](#). By exception CC BY-ND may be accepted upon request by the author. It is noted that the use of more restrictive licenses (like CC BY-NC or CC BY-NC-ND) is not in line with the [Berlin Declaration on Open Access to Knowledge in the Sciences and Humanities](#) to which NWO and all Dutch universities have signed up. In the submission workflow NWO grantees shall only be offered compliant CC license options.

## 4. Quality

NWO expects the highest standards of quality of peer review and editorial practices. Journals covered by the agreement should have a solid system in place for peer review according to the standards within the relevant discipline and guided by the practices and policies outlined by the [Committee on Publication Ethics \(COPE\)](#). In addition, journals must provide, on their website, a description of their editorial policies and decision-making processes.

## 5. Price transparency

NWO expects the prices of the agreement to be transparent, fair and reasonable. When Open Access publication fees are applied, they must be commensurate with the publication services delivered. COAlition S has [endorsed two frameworks](#) intended to improve the transparency of Open Access publishing services. As of July 1<sup>st</sup> 2022 NWO expects that publishers will provide data in line with one of these frameworks.

## 6. Open (meta) data and citation

In accordance with the [TOP Guidelines](#) the publisher shall require that research data and similar materials (e.g. software, codes) underlying the publications be made available by the authors and deposited in a trusted repository. Articles must include a data availability statement. NWO encourages publishers to abide by the data citation standards as set forth in the [Declaration of Data Citation Principles by FORCE 11](#).

The publisher shall commit to making all metadata on citations of publications covered by the agreement openly accessible according to the standards by the [Initiative for Open Citations I4OC](#).

## 7. Submission workflow

The publisher shall provide a submission workflow that identifies eligible authors and unambiguously informs them about their options to publishing Open Access. When options are given, NWO grantees will by default be offered options that comply with the requirements of NWO.

## 8. Open contract

The agreement between UKB/VSNU and the publisher (incl. costs, conditions and services) needs to be openly available and shall be registered in the [ESAC-registry](#) by UKB as soon as possible after signing the contract.