EVALUATION OF THE NATIONAL ELECTRONIC SITE LICENCE INITIATIVE (NESLI)

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NESLI provides a national negotiation and delivery service for electronic journals to UK Higher Education Institutions. This mid-point evaluation found widespread acceptance of the value of a national negotiation service. However, many stakeholders consider that progress has been slow, the process is complex and offers do not always provide value for money. Findings are presented for each stage of the NESLI process from negotiation to journal delivery. The views of stakeholders about the future of the service are also discussed.

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National negotiations for electronic journals

The NESLI service has been established by JISC (the Joint Information Systems Committee) to promote the availability of electronic journals to Higher Education Institutions (HEIs). The service is operated by a Managing Agent whose responsibilities include the negotiation of deals with publishers on behalf of all HEIs and the administration and delivery of the service to each library that accepts a deal. The service was established for three years and began providing journals in January 1999. The aims were to achieve 'value for money' deals for HEIs and to simplify the route for the widespread adoption of electronic journals. Unlike the earlier Pilot Site Licence Initiative (PSLI), there is no subsidy for the publishers to engage in NESLI (Borin 2000). A fuller description of the aims of NESLI is provided at www.nesli.ac.uk and the early experiences of the Managing Agent (a joint endeavour by Swets Blackwell and MIMAS at Manchester University) are described by Prior (1999) and Harwood (2000).

JISC commissioned a research team at Loughborough University to undertake an interim evaluation of the progress of NESLI at the halfway point of the service (June 2000). The terms of reference for the study included:

- the impact of the service on the take-up of electronic journals;
- the issues that have arisen in the provision of the service;
- the implications for the future shape of NESLI.

This article provides a summary of the findings of the interim evaluation. The full report is available on the NESLI website.

Methodology

Statistics relating to the development and usage of NESLI offers were examined. However, the primary requirement of the

evaluation was to collect the views of the many stakeholders with an interest in the service. These included the libraries, the end users in HEIs, the Managing Agent, the publishers and others in the publishing world such as subscription agents. Also included were the Steering Group charged with the guidance of the project and other policy makers in the JISC. In most cases interviews or telephone interviews were undertaken with up to eight members of each major stakeholder grouping. However, each HEI had appointed a NESLI representative and the community made active use of an electronic mail facility. An email questionnaire attracted 53 detailed responses from these representatives. Many HEIs were receiving NESLI deals and, in order to study the impact on the end user, two institutions were selected as case studies to explore in more detail how each was making use of the service.

The overall findings

Although the different stakeholder groups had very different perspectives on NESLI, there was one issue upon which there was very widespread agreement. This was that it was good in principle to have a central body negotiating with the publishers on behalf of the HEIs in the new and difficult area of electronic journals. The effort that would be involved, if all of the customers negotiated separately with all of the providers, was seen as far too resource intensive and a central focus was greatly appreciated. The principle of creating a single point for these negotiations was, therefore, widely welcomed. This display of consensus was, however, qualified by a series of 'buts' about the provisions of the current service. Although there was widespread praise for the efforts and commitment of the Managing Agent, the experience so far has been that NESLI is slow to offer deals, is very

complex at all stages and that, whilst it provides value for money for some institutions, others feel that they are disadvantaged.

The statistics relating to the development of the service provide an indication of the progress made in the first 15 months. At the time of the study there were 11 major offers from publishers, which were available to libraries, and some from small-scale publishers. In total the deals available meant that over 2,500 titles could be taken in full text electronic form through NESLI. The take-up of these offers by the libraries was very varied. The most popular offer from a publisher (an offer of 219 journals) had been taken up by 47 HEIs but some offers had been accepted by very few libraries. Where deals had been accepted there were statistics of usage; there had, for example, been 65,000 accesses in a six month period to the journals included in the offer that had the highest take-up. Although the statistics show considerable progress in the provision of electronic journals, there were many users who had expected a national service to make a much greater impact.

To provide a systematic account of experiences with NESLI, the findings will be presented in relation to the process from negotiating offers with publishers to the delivery of a service to end users.

The NESLI process

The overall NESLI process is described in figure 1.

Figure 1
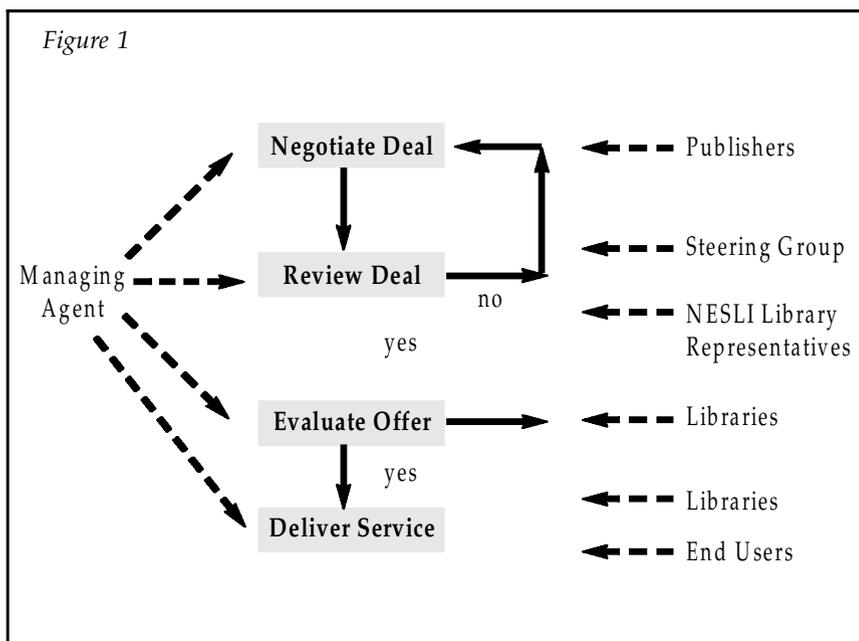
The negotiation phase

The NESLI process begins when the Managing Agent and a publisher enter into negotiation. This is, in part, a legal discussion and NESLI asks each publisher to accept a model licence that provides a standard framework for many complex issues of copyright, user authorisation, rights etc. The negotiations also establish the list of electronic journals on offer and the fees, terms and conditions that will govern the offer. The model licence is widely regarded as a very useful aid to this process. Even so, the negotiation process has often been long and complex absorbing the resources of both publishers and the Managing Agent. A straightforward negotiation with a small publisher dealing with a few titles could take three months. Negotiations with a large publisher can take from six months to over a year. Both sides have devoted considerable legal resources to the establishment of contract conditions, but much of the discussion has concerned fees. Although the aim of NESLI is to extend the use of electronic journals, most publishers who offer a wide range of electronic journals have made it a condition that existing print subscriptions are sustained. It is possible that negotiations will be less complex when contracts are re-negotiated for subsequent years. Unfortunately, the experiences of those involved suggest that, in this fast moving world, the negotiations are just as complex the second time around.

When a provisional deal has been agreed the Managing Agent refers it to the NESLI Steering Group and to library representatives for review. The Steering Group has been unhappy about the conditions and value for money offered by some deals and consequently asked the Managing Agent to enter into further negotiations with publishers. The Steering Group has also become directly involved in some of the negotiations. These actions, taken to improve the value to the HEI community, inevitably lengthen the period of negotiation and raise questions about the role of the Managing Agent. While the Managing Agent is expected to develop a service that can become commercially self-funding, does it have the responsibility for the primary representation of the interests of the HEIs or is its responsibility to mediate deals between the publisher and the HEI community? Whilst the process of negotiating with publishers goes on, the libraries wait to hear what will be on offer. The Managing Agent endeavours to maintain awareness but there is a desire amongst the library community to know more about the state of negotiations and when deals are likely to be available.

Considering the offers

When a deal has been agreed, it is offered to the libraries and each library evaluates whether to accept or reject it. The evaluation has proved problematic for most libraries; over 60% of respondents to the email questionnaires described it as difficult or very difficult. One of the reasons is that deals that involve sustaining existing print subscriptions mean each offer has to be examined against existing commitments. The offer may also involve many new electronic journals that may or may not be of interest to the local academic community. These factors mean that a good offer for some universities is a poor one for others. The protracted and uncertain process of negotiation can also lead to the offer to the libraries arriving without much notice and requiring a swift response. The offers could also come at a time in the year when they cannot be accepted, for example after the deadline when budgets have been committed. The combination of a complex evaluation and the timing of the offer have often meant that the only safe response has been to decline the offer. Overall the rate of take-up is being affected by two major factors. First, what is a valuable offer for some is not necessarily a good offer for the majority. Second, it is difficult to evaluate offers quickly and offers of potential value may, as a result, be declined.

The delivery

When an offer is accepted the Managing Agent arranges delivery of the electronic service. This is provided through the Managing Agent's portal, although libraries can choose to use the publisher's own portal as an alternative. The objective of offering a single portal was a NESLI policy, aimed at providing end users with a 'one stop shop' for electronic journals from all publishers. This is in line with the conclusions of studies of end users, for example, the Super Journal project (Eason, Yu and Harker, 2000),

which show that users respond to subject categories rather than to publishers and wish to deal with one portal, one password etc. The users questioned in this study had no awareness of NESLI deals, but valued the single point of access for these reasons.

The libraries where NESLI deals had been accepted were asked whether the goal of extending use of electronic journals was being achieved. The responses were positive, some enthusiastic and some more guarded. Two library responses serve as illustrations.

> 'The NESLI deals have 'kick-started' e-journal activity here. Although we had some e-journals prior to NESLI, the number of titles we have access to has increased by several thousand as a direct result of the NESLI deals'.

> 'Electronic journals are becoming more popular throughout the university, but I can't attribute this to the NESLI offers specifically – we are working hard to promote e-journals too'.

There seems little doubt that users are making more use of electronic journals but the contribution of NESLI, although clearly considerable, is difficult to measure.

Goals, roles and responsibilities

In addition to the issues associated with the stages of the NESLI process, there were also general concerns that tended to be more pressing for some stakeholders than others. Although there was considerable admiration for the Managing Agent, there were disappointments about what had been achieved and doubts about the mechanisms in place.

Amongst the HEIs there was some disappointment that greater value for money was not being achieved. HEIs with large existing print subscriptions were particularly disadvantaged by many of the deals. The earlier Pilot Site Licence Initiative (PSLI), which provided funding for participating publishers, may also have created expectations about the economies that could be achieved in accessing journals electronically that NESLI could not satisfy.

A second issue concerns the roles and responsibilities of the participants in the process. As has already been discussed, there is a question about whether the Steering Group or the Managing Agent is the representative of the user interests as the negotiator of commercial deals that will deliver electronic journals to HEIs express? Given the support provided by JISC for the initial provision of the service, it is understandable that the Steering Group has become involved at an operational level in the detailed negotiations. In the longer term, there are questions about whether this role will continue to be needed in order to provide the central focus for HEI negotiation that is valued by these stakeholders. A related issue is the potential monopoly created by having a single Managing Agent that negotiates with publishers and delivers the service to end-users. Although this creates a single, clear process, it can be considered anti-competitive. It could, for example, damage the opportunities of other subscription agents and limit the chances of other 'one stop shop' portals becoming established. As an alternative it might, for example, be better for libraries to have a choice of portal through which to take their NESLI deals. Many librarians use other subscription agents and are members of other purchasing consortia and expressed a wish to maintain some independence in how they undertake their business.

Perhaps the most important question raised is whether any deal negotiated on behalf of all HEIs could be good for everyone. Institutions vary widely in their needs and their existing provisions and, when deals are linked to existing provisions, it seems likely there will always be winners and losers. One possibility is that there should be more opportunity to customise deals to suit local circumstances. Similarly, on the provider side, there was concern for the future of small publishers and for the other agencies that could be squeezed by a centralised negotiation process.

The future

All stakeholders were invited to comment on the future of NESLI. Although progress with NESLI had been slow and not everyone was benefiting, there was a widespread view that, at the end of the current three-year period, there should be a continuation of a central negotiating body. The advantages of having a single route to handling these complex business issues outweighed the

concerns and there was wide agreement that there was a need to continue with the principle that had now been established. Nevertheless, there were many suggestions for ways in which the current mechanisms could be improved.

From the perspective of the libraries and end user academic communities these included: -

- earlier warning of deals with more time to consider them;
- appropriate timing of offers to fit the budgetary cycle of Universities;
- duration of offers to fit the funding time horizons of Universities;
- support to evaluate offers;
- more flexibility in the deals with opportunities to use other agents;
- more opportunity to select portals through which services are delivered.

From the perspective of policy makers and stakeholders on the supplier side, there were related suggestions about the issues that remain to be resolved: -

- examination of the degree to which it is possible to have one central agency and still leave an appropriate degree of discretion to individual Universities;
- examination of the degree to which a central agency is compatible with ensuring there can be continuing competition between all suppliers for HEI business, e.g. subscription agents, software system suppliers etc.;
- determination of the roles and responsibilities of all contributors to the process, i.e. who is mediating, empowered to negotiate etc.;

- examination of what can and cannot be self-funding in the NESLI process.

The NESLI process shows that it is technically possible to deliver large numbers of full text journals to end users in a timely and reliable fashion. As is often the case, it is now the business and organisational issues that are the barriers to the effective and widespread adoption of these new forms of delivery. NESLI represent a major contribution to finding a national way forward. It has already made significant progress but, perhaps, more importantly, it has made evident to all interested parties those business and organisational problems that need to be solved. A successful service will be achieved, when all the major stakeholders have developed and implemented a viable business case. A major achievement of NESLI is that it is providing an important forum, in which stakeholders can explore what the new world created by electronic journals means for their business.

References

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