

A guide to UK consortia for publishers, content providers and subscription agents

Based on a presentation given at the 2007 ASA Conference: 'Policy, Pricing and Purchasing'

An enthusiastic sales executive working for a journal publisher is given the UK academic library market as part of his territory. At first glance, this appears to be a welcome addition compared with some of the more challenging markets elsewhere in the world: relatively small country, seemingly uncomplicated higher education structure and quite advanced in embracing online content and consortia activity.

On closer examination however, he uncovers a quite complex structure, with a number of policy-making bodies, funding bodies and membership organizations and a similar number of purchasing organizations all representing institutions in their own way. In many instances, there are some excellent initiatives underway, many of which are collaborations between various players. In other cases, especially on the purchasing side, it is quite a challenge for a publisher to know where to start.



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The academic library market in the UK is relatively accessible for publishers and content providers. With the aid of a small number of established directories (or Google), an aspiring sales executive will quickly be in a position to define his or her territory and the institutions that make it up:

- 7 Research Councils
- some 170 universities
- around 450 further education (FE) colleges
- approximately 10,000 schools involved in delivering post-16 education.

Depending on the experience and savvy of said sales executive, their next step is likely to be in one of two directions: match product with type of institution most likely to buy and then rank by size and budget and get on the phone to seek an appointment with the appropriate e-resources librarian. Alternatively, and this is where the experience comes in, undertake further investigation as to how these different institutions are funded, who the funders are and whether or not any of them have established themselves into purchasing consortia. Undertaking such an exercise would create a diagram that looks very much like the one

reproduced as Figure 1, with policy makers and funders shown on the left-hand side of the triangle and purchasers and purchasing bodies on the right.

Now, whilst some companies will be looking for their expensive sales staff to be re-paying some of the investment by encouraging them to get through as many doors as possible as quickly as possible, those with more sense will take a more hands-off approach and allow their more inquisitive and probing executive to spend a couple of weeks digging deeper into the policy making, funding and collective purchasing side before showing their face in a single institution. Who might they visit and what will they learn?

CURL

CURL is the Consortium of Research Libraries in the British Isles, with some 29 members not all of which are universities. CURL is not a purchasing consortium so any hope our executive had of landing all of the biggies in one visit would be quickly dashed. However, CURL is undertaking

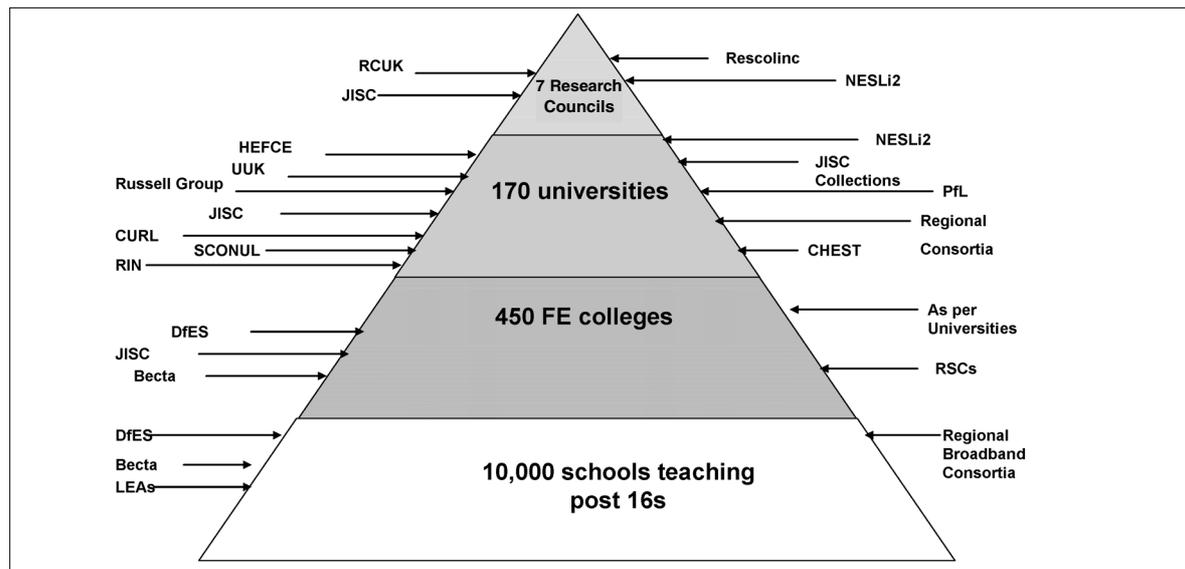


Figure 1. On the left: policy makers and funders; on the right: purchasers and purchasing bodies

some important work on behalf of its members which is helping the UK academic market to move forward collaboratively in the area of managing a hybrid print and online world: The UK Research Reserve is a project jointly undertaken with the British Library (BL) designed to address the problem of storage space in UK research libraries at a time of diminishing departmental libraries and new student-centred approaches to learning demanding additional library space. The underlying principle behind this pilot initiative is that the British Library guarantees to hold journal titles in perpetuity for researchers to access in either hard copy or electronic form via secure electronic delivery, document supply and inter-library loan (ILL). Research libraries will be encouraged to send to the Reserve any materials they possess that were not already held by the BL. They could then dispose of duplicates in confidence, knowing that they could always obtain copies from the Reserve when required. Phase 1 of the project is underway and if successful, Phase 2 would see it rolled out to any UK university wishing to participate, and the extension of the scheme to cover books as well as journals. The British Library would implement a new service and pricing model for its document supply service based on its new role.

Access of a different kind is the driving force behind CURL's other current collaborative project, this time undertaken with the Joint Information Systems Committee (JISC) and in the area of digital preservation and archiving. The UK/LOCKSS pilot is designed to test the management and

sustainability issues for libraries in using the 'Lots of Copies Keep Stuff Safe' (LOCKSS) system to archive journal content, and some 30 institutions have been presented with a LOCKSS box and received training in how to use it from the Digital Curation Centre (one of the other project partners). The project is set to run for two years and is focusing on bringing in content from those publishers currently part of the NESLi2 initiative and a number of open access publishers. CURL and the JISC are not in any way endorsing LOCKSS or making long-term commitments to this method as the system of choice for UK academic libraries, but as this market moves increasingly online, they are prudently investigating the options for safe and secure access for the future.

JISC

Any self-respecting sales executive selling into the UK academic market will quickly come across this acronym and will do well to understand what the JISC is, how it works and why it is so important. As with CURL, the JISC does not actually acquire content (although their colleagues in JISC Collections do and we will visit them later in this tour), but they underpin so much of the technical infrastructure helping deliver content to researchers and students working and studying in UK universities.

Investing time in understanding the different divisions of the JISC is advisable and being in a position to convey the JISC's expectations of

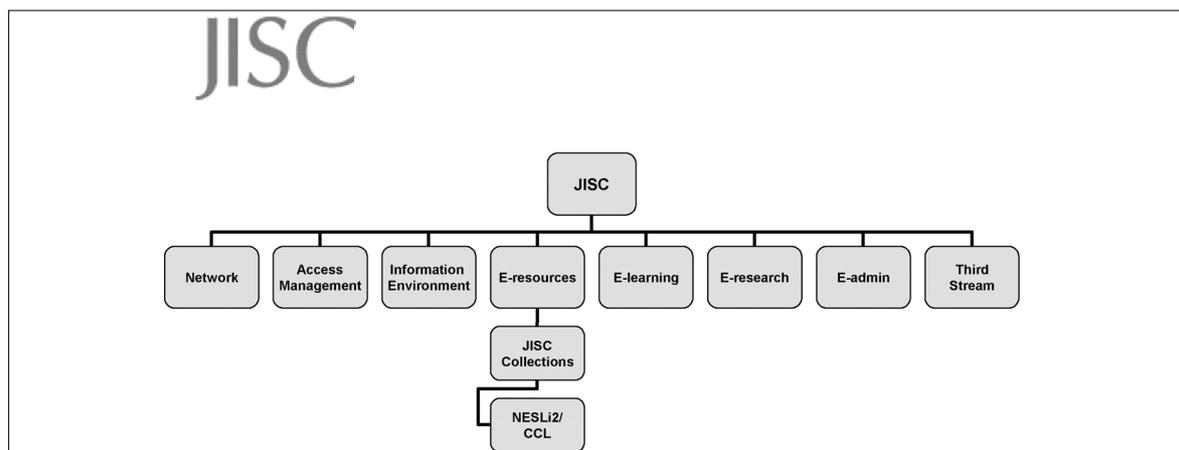


Figure 2. Different divisions and areas of work within the JISC

content providers to technical colleagues is an important service that a sales executive can perform for their company. As Figure 2 shows, the JISC is divided into a number of divisions responsible for various areas of work. It would be wrong to suggest that any one division or area of work is more important than another, but worthy of mention currently is the significant investment being made in upgrading the academic network that delivers and sends content to the next generation (SuperJANET 5), and, under the Access Management wing, the 20 core middleware projects designed to help the migration to Shibboleth under the UK Access Management Federation. In the latest versions of their licences and contracts, the JISC is asking publishers and content providers with whom it does business to be Shibboleth compliant by July 2007.

SCONUL and RIN

Visits to the offices of the two organizations listed above were fruitless for our inquisitive sales executive in terms of finding the source of purchasing power, but very useful in understanding key themes in the current thinking of policy-makers and those charged with delivering services to those working in higher and further education. The buzzwords being used were: extended access and widening participation. These issues were highlighted in the House of Commons Science and Technology Committee Report, *Scientific Publications: Free For All?*, back in 2004, as areas that needed further investigation.

SCONUL is the Society of College, National and University Libraries, and in October 2006 they commissioned the HAERVI project (Higher Education Access to E-Resources in Visited Institutions). HAERVI (www.ucisa.ac.uk/activities/projects/haervi.htm) is seeking to address the frustration felt by many academics and researchers who visit other institutions in the course of their work but who cannot get access to e-resources that they are legitimately entitled to use because of network security or other technical and administrative barriers. The aim of HAERVI is to create a toolkit that covers the various legal, technical and administrative issues faced by librarians and IT managers wishing to allow visitors from other higher education institutions access to e-resources on their campus. The project is approaching conclusion although the outcomes are not yet known at the time of writing this paper.

RIN, the Research Information Network, is sponsored and funded by the four Higher Education Funding Councils, the three national libraries and the Research Councils, and has a mission 'to lead and co-ordinate new developments in the collaborative provision of research information, for the benefit of researchers in the UK'.

Their contribution to the 'widening participation' issue raised in the Science and Technology Committee Report was a study: *Public Access to Digital Content* (www.rin.ac.uk/public-access) which went beyond access by scholars to address the issue of access by members of the public. Among the conclusions of the report was the fact that many of the licence agreements with publishers

and content providers were complex and unclear and that a UK Register of Licences should be created. Also, that there are administrative and technical issues that relate to providing access to content through secure university networks.

Becta

Whilst those publishers and content providers serving the needs of high-level researchers may understandably choose not to knock on the door of Becta, the British Education Communication and Technology Agency, those whose content may be appropriate for post-16 students studying in one of the 10,000 secondary schools in the UK may well consider it time well spent.

Becta is the lead organization in co-ordinating the UK government's e-strategy for education. With schools now included in the UK Access Management Federation and therefore Shibboleth compliant, and with broadband in place via the Regional Broadband Consortia, the only apparent piece of the puzzle missing is content. Curriculum Online and the government's e-learning credits are attempts to plug this gap by offering schools and content providers the opportunity to work together but there are currently no national agreements negotiated. In the last six months, Becta and JISC Collections have been talking more about the possibility of bringing schools into appropriate nationally negotiated HE and FE agreements and it can only be a matter of time before this happens.

Having invested time in understanding the dynamics of the various policy making and funding bodies, our intrepid executive dutifully reported back to his line manager and prepared a second round of meetings with some of the key purchasing bodies he had identified at the outset.

The first port of call was inevitably JISC Collections, the newly established mutual trading company, spun off from the parent JISC and tasked with standing on its own feet financially over the next five years. In terms of JISC Collections' core community (UK higher and further education), their recent change in status will have little impact on the service they receive and the company will continue to adhere to its collection building models which has seen them acquire significant back-file content from publishers like OUP, RSC and IoP on behalf of the community, as well as lead the negotiations for core and innovative products

and services where it can seek preferential prices and adherence to key model licence clauses as a result, by representing all institutions in a single negotiation.

The company status and expanded role of JISC Collections now means that it can also represent other organizations, outside of UK higher and further education, and the most efficient way of doing this is to include interested parties in existing negotiations. One way the new company might generate the cost recovery income it has been asked to achieve is by including more organizations in its negotiations and charging a fee for this activity. Interested communities could include, for example, NHS England, Becta/schools and public libraries. Cross-sector activity is therefore very much on the agenda.

Knowledge Exchange

Cross-boundary activity is also a possibility for JISC Collections and the creation of Knowledge Exchange, bringing together the JISC, SURF in The Netherlands, DEF in Denmark and DFG in Germany, and their recently announced Multi National Licensing Tender, is an attempt to bring publishers to the table to discuss agreements that span more than one country and that move away from the world of confidentiality clauses and 'divide and rule' pricing models.

In keeping with the widening participation and extended access drive across the various communities, JISC Collections has been at the forefront of introducing new clauses into their model licences to reflect these requirements, and publishers and content providers signing licences with JISC Collections from now on can expect to negotiate access for additional authorized users working at partner institutions (such as an FE lecturer delivering a course as part of a university-validated degree), overseas campuses and for spin-off companies.

Most recently, JISC Collections has taken the lead in the vexed area of e-book licensing where, in particular, the requirements of many higher education institutions for greater access to online textbooks with appropriate pricing and licensing models has gone unfulfilled. The E-Book Observatory Project is designed to address many of these issues by engaging with publishers in a partnership approach designed for individual institutions, participating publishers and JISC Collections themselves to better understand usage

and models by sharing data and feedback at the end of the project.

NESLi2

As primarily a journal publisher, our sales executive was intrigued to learn that negotiations for journals in the UK are handled by a third party contracted with JISC Collections, and so another part of his education entailed a visit to the office of Content Complete Ltd, the company which has been handling negotiations for NESLi2 since 2003.

NESLi2 continues to be an opt-in model of consortium purchase and the prospect of genuine national licences being negotiated for current content still appears some way off. An interesting development in the last month has been the ITT issued by the Universities of Edinburgh and Glasgow for a study into the feasibility of establishing a Scottish Higher Education Digital Library (SHEDL) for Scottish universities.

The NESLi2 community has given the negotiation agent a clear steer in recent years by stressing that its preference is to see successful negotiations concluded with the core 20 publishers currently licensed under the initiative as opposed to continually adding more and more medium-sized and small publishers. Inevitably, such a message has not gone down well with a number of these excluded publishers already feeling vulnerable from the knock-on effects of the 'big deal', and a perception of NESLi2 as elitist or only interested in big publishers has created some negative perceptions. JISC Collections, along with its Journals Working Group and the negotiation agent has recently reviewed its policy on this matter and hopes to be in a position to make an announcement on this topic in the near future.

As with the Model Licence used by JISC Collections for its agreements, the Model Licence for Journals continues to be revised in line with industry developments and user and library expectations. Recent additions include a number of clauses to cater for hybrid and full open access publishing models, the thorny issue of titles moving between publishers and the availability and regular updating of a definitive list of titles that comprise an agreement by participating publishers. The latest version of the licence can be seen on the NESLi2 website at www.nesli2.ac.uk.

Bringing our executive bang up to date, the NESLi2 negotiation agent was able to tell him that consideration is being given to creating a Usage

Statistics Portal which would help individual institutions handle this aspect of their collection development work more efficiently, whilst also allowing the potential for them to benchmark their statistics against other, similar-sized institutions (subject to publisher agreement) and for JISC Collections and the negotiation agent to have an overview of usage across the whole consortium. Also that, following a study into online journal business models undertaken during 2006 and involving five publishers and ten UK higher education institutions, a public version of the report will be made available which will highlight some of the flaws in models based on usage statistics alone.

Now, our friend and colleague is coming to the end of his journey, but there remain two stones unturned before he feels he can confidently report back to his sales manager and commence actively selling his service to the UK higher and further education communities.

The first of these is EduServ Chest, another possible outlet for publishers looking to raise their profile in the UK academic community. Chest was originally the JISC's negotiation agent and brokered a number of the ground-breaking agreements (ISI Web of Science) back in the mid-1990s. Today, Chest is one part of the wider Eduserv empire which also provides access management services (Athens) and website hosting.

For a publisher or content provider, having JISC Collections, Chest and an outsourced negotiation agent for the NESLi2 journals initiative is somewhat confusing, especially as the UK is a relatively small country. Institutions themselves are occasionally confused as to who does what, and why, and it is possible that the marketplace is not getting the best possible agreements because of these different purchasing bodies often having separate discussions with the same provider.

If Eduserv Chest adds a minor complication to matters for publishers, the existence of six separate regional purchasing consortia for print and online journals is another. These groups have established regional agreements with subscription agents supplying UK higher and further education institutions, and typically commit to a 3-5 term with one or two agents. The agreements themselves are essentially a way of reducing the cost of print and online journals, but crucially at the expense of the agent and not the publisher. With the number of agents dramatically diminished over the last

15 years, it means that only two suppliers represent credible candidates for selection by these consortia and we have the ludicrous situation whereby six separate groups are independently tendering and maintaining contractual relationships with just two suppliers, with all the attendant costs for all parties. It also means that the agent is being forced to bear the brunt of pricing negotiations and delivering improvement to libraries at their expense rather than at the expense of the more affluent publishers. Attempts to bring together the efforts of NESLi2 and the Regional Consortia are underway, and this should deliver a more coherent purchasing strategy. For publishers like the one represented by our executive, it could mean that NESLi2 starts to focus on the price of the content itself, rather than the fees for wider (big deal) access.

So, the tour is over. Our sales executive, in going the extra mile before committing himself to sales visits to potential clients, has given himself a solid grounding into how the UK academic library market currently functions in terms of consortia activity, licensing priorities and collaborative ventures. In terms of the three themes identified in the title of the conference where this paper was presented: policy, pricing and purchasing, he can report back to his line manager accordingly:

Policy There is a strong agenda at policy level for developing the ideas of shared services and widening participation designed to encourage cross-sector activity and ensure that the widest

possible access is available to all citizens in the UK. However, the prospect of genuine national site licensing is remote in the short/medium term.

Pricing Increasingly, UK higher and further education institutions are seeking pricing models from publishers that include additional users and other relevant sectors at marginal cost. In the journals area, there is increasing frustration that institutions are not getting what they have paid for and they are looking to licence clauses to protect them.

Purchasing There are a number of purchasing bodies in the UK academic library community working independently of each other. This offers institutions plenty of choice but does mean they may not necessarily be getting the best deal due to the lack of joined-up thinking.

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