Managing Knowledge and Technology: Issues and Trends

Presented by

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Focusing on:

- Licensed electronic material
- Consortia or Group Purchasing

From an academic library perspective
Types of licenced electronic resources

- E-Books
- E-Journals
- Electronic news services
- Databases
  - Abstracting and indexing services (eg. Medline)
  - Bibliographic fulltext (eg. ScienceDirect)
  - Data (eg. Chemical reactions – SciFinder; Statistics – AusStats)
Selection

- Information from publishers
- Information from library vendors
- Information for customers
- Electronic discussion lists
- Information in print journals
- Other library catalogues
- Colleagues
Selection (cont)

- Check the price
- Decide how many concurrent users are required and verify the price
- Check the equipment specifications
- Check the speed of access if the product is to be accessed via the Internet
- Ask for a trial
- Ask for a copy of the licence
Evolution of Licences

Early licences:
- Generally for stand-alone cdrom products
- Simple wording containing terms and conditions of use

Progressed to:
- Networked cdrom products & early web products
- Greater variation in clauses
- *For example* various definitions of a site:
  - “a single library building not joined to another by a covered walkway”
  - “a group of branch libraries within a 5 mile radius of a central site”
  - “a campus with more than 1,000 students”
  - “those sites covered by a centrally administered acquisition section”
Evolution of Licences (cont)

Today’s licences:
- High percentage relate to web products
- Longer
- More complex
- At first glance more legalistic
- Some standardisation
- Different types (e.g. click through)
- Push for standard licencing
Best practice?

Perhaps there is no such thing – rather:

- Be aware of what to look out for
- Be aware of what our colleagues do both locally and internationally
- Develop practices that suit our own environment
How to establish our own best practice

To assist with this I will:

• Address some of the points in licences we have had to clarify or negotiate
• Outline some of our strategies for dealing with those issues with which we disagree
• Reveal how we have survived this process
• Briefly look at in-house organizational issues
Points for Negotiation or Clarification

- Definition of site
- Definition of a user
- Methods of authentication - aim for access to all authorized staff and students
- Conditions of access - for example:
  - are there restrictions
  - are “walk in” users permitted
  - is remote dial-in access permitted
- Remote access
- Termination clauses (Drop Dead Clauses) – archival access
- Privacy of user data (eg. names and contact details of users)
Points for Negotiation or Clarification (cont)

- Copyright or “fair use”
  - inter-library loan/document delivery
  - classroom use/course packs authorised users
- Contractual period (eg. multi-year subscription periods)
- Conditions of use
- Pricing

Remember:
- While you negotiate your customers wait.
- This will add pressure but you may be able to extend a trial to cover the waiting period
Strategies

- Identify the dataowner or vendor
- Be clear and concise
- Set out your structure:
  - number of sites
  - number of potential users (eg. For a research level agricultural product: number of staff in School, number of Postgraduates, where situated etc.)
- If you do not understand the response, ask again
- Ask colleagues and other subscribers – some information will be confidential (eg price)
- Check discussion lists to see if others have raised the issue about which you are concerned
Responsibility Levels

- Establish who is the appointed “duly authorized officer” for contractual agreements

- For example it could be:
  - Director of a Research Centre
  - Partner in a legal firm
  - Registrar in an academic institution
  - Chief Librarian
  - Legal officer

- At UQ Library this is the University Librarian
What skills and competencies do you need – First thoughts

- Common sense
- Pragmatism
- Communications skills
- Persistence
- Flexibility
- Patience
- Creativity
- Serenity
Skills and competencies - more

- Accept the reality of grey – everything is not black and white
- Manage risk
- Accept that you can do this task without legal training
Risk Management - Print

Print serials acquisition is a “risky” business

- Subscriptions are prepaid on the assumption that supply will occur but there are no guarantees only the publishers “best endeavours”
- Generally order through a third party – i.e. a library vendor
- Trust our users to comply with copyright legislation regarding photocopying
Risk Management - Electronic

Electronic publishing certainly added a layer of complexity

- Access can cease at the flick of a switch
- There are no 100% guarantees
- No absolutes
- Very little “black and white’ only lots of grey
UQL Survival Tips

- Operate within broad guidelines
- Read the document clause by clause (do not be intimidated by the language)
- Question, negotiate and renegotiate until satisfied
- We have gained experience over time
- Each new variation or “odd” clause is dealt with as it appears
- Need to be flexible and accepting of the dynamics of electronic publishing
• Advise Senior Managers when we are concerned with specific conditions. The decision to sign is made at Senior Management level and, to date, there have been very few instances when our advice has not been taken.

• Keep copies of all licences

• Keep correspondence

• Make notes of all telephone discussions & confirm in writing

• Check for changes if a replacement licence is received (eg. at renewal time)
Licences – Final Words

- You will become familiar with the “ordinary” clauses in a licence
- The “unusual” and the “odd” will jump out at you
- The instances of concern will become less and less
- Be pragmatic
- Use your common sense
- Never feel uncomfortable asking questions
- Remember change is possible
Group Purchasing

- Consortia
  - Central purchasing fund
  - All members benefit
- Buying Group
  - No central purchasing group fund
  - Members choose what to purchase
  - Cost depends on the number of purchasing members
- Group Offer or Proposal
  - Marketing devise
  - Cost not dependent the number of purchasing members
Why form a Group?

- Reduce costs - Discount for volume
- Increase access - To all titles owned by the consortium; to publisher’s list; to aggregator’s packages
- Reduce work
  - Information gathering
  - Trial coordination
  - Licence negotiation
  - Price negotiation
Principles

- Better price and/or conditions than possible as a single institution
- Entry level which allows the largest number to participate
- Advantages for large and small institutions
- Information gathering -> web site
- Simplify administration
… and the Publishers?

- Single point for wide distribution of information
- Single point of contact for negotiations
- Single invoice

but

- Maintain (or increase) their bottom line ($$)
Cost-Sharing

- Determined by publisher & passed on to group eg.
  - Subscription history (current spend)
  - Percentage discount by volume
    - Institutions
    - Databases
    - Titles
  - EFTSU / FTE - all or discipline-specific
  - Carnegie Classification
Cost-Sharing (cont)

• Determined within Consortium eg.
  • Equal share
  • FTE-based
  • Usage-based
  • Resources budget, or
    • a combination of the above eg 50% equal share (entry level) + 50% FTE-based
    • or what it is worth to the institution
International Pricing Variations

- **UK – NESLI:**
  - standard tiers based on institution size

- **Canada – CNSLP:**
  - research-based formula in which institutions aggregated within provinces
    - research students
    - research income
    - faculty members
Issues for Publishers

- Continuous product enhancement
- Maintenance of dual/multiple formats
- Variations in the global market
- Packaging reduces overheads
- Return to shareholders
Issues for Members

• Variation in size, wealth, research emphasis & discipline base
• Cost-allocation parameters
  • Competition
  • “Subsidy” of less well-resourced institutions
• Package deals are good value but can lead to uneven collection development
Issues for Consortia

- Balancing interests of the large & small members
  - must be some advantage over going solo
    - content and/or price
- A member drops out
- “Competing” consortia
Examples

- CAUL – Council of Australian University Librarians
- QULOC – Queensland University Library’s Office of Cooperation
- CASL – Council of Australian State Libraries
- CAVAL – Victoria
- WAGUL – Western Australia

ICOLC – International Coalition of Library Consortia (140 consortial members)
http://www.library.yale.edu/consortia/
Conclusion

Dealing with the acquisition of electronic products is interesting, challenging and, at times, very frustrating but never ever boring

Thank you very much