

A free toolkit to foster open access agreements

In November 2021, with the support of the Association of Learned and Professional Society Publishers (ALPSP) and cOAlition S, four 'task and finish' working groups were established. The authors facilitated and supported these groups. Each group was responsible for producing tools that will enable library consortia and small independent publishers to negotiate transformative agreements, which is to say, agreements that will enable the publisher to fully transition to open access. The first task and finish group developed shared principles for transformative agreements. The second developed a data template to enable smaller independent publishers to reach agreements with library consortia and libraries, while the third developed example licence agreements. These groups recognized that the implementation of a transformative agreement crosses a complex ecosystem of technology, processes, policies, automated functions and manual functions that relate to contract management, article submission and peer review, content hosting and dissemination as well as financial management. For this reason, a fourth group produced a workflow framework that describes the process in all its phases. The members of these four groups were volunteers from stakeholder communities including libraries, library consortia, smaller independent publishers and intermediaries. This article explains why these tools are needed and the process behind their creation. The authors have combined these tools into a freely available toolkit, available under a CC BY licence.

Keywords

open access; Plan S; publishers; libraries; consortia



ALICIA WISE

Director
Information Power



LORRAINE ESTELLE

Director
Information Power

Introduction

There are many challenges that smaller independent publishers face in transitioning to open access agreements with libraries.¹ (We use the term 'smaller independent publishers' to mean society publishers without a larger publishing partner, university presses, library presses and small independent presses. We encourage societies partnered with larger publishers to consider and discuss these principles and invite larger publishers that host society journals to subscribe to these principles.) It is challenging for them to administer multiple article-level payments by authors. It is much easier for these publishers, and the authors, if there is a single agreement in place with the library or a library consortium. However, smaller independent publishers lack the diverse revenue streams, resources and scale of the largest publishers to put these agreements in place. Libraries and consortia also face capacity challenges as they seek to increase the number and range of publishers with whom they deal directly. To be inclusive and to enable diversity in the research

'smaller independent publishers lack the diverse revenue streams, resources and scale of the largest publishers to put ... agreements in place'

- 2 information landscape to flourish, it is essential to develop and implement shared standards. Cross-stakeholder alignment focused on enabling these smaller independent publishers to transition successfully is essential.

The authors asked for volunteers for four 'task and finish' groups with the job of producing a tool kit² to enable library consortia and small independent publishers to facilitate the negotiation and implementation of transformative agreements. The four groups comprised representatives from stakeholder communities including libraries, library consortia, smaller independent publishers and intermediaries. The groups met online between October 2021 and January 2022. Each group had around 12 members, although because volunteers were from a wide range of countries and time zones, not all group members were able to attend each meeting. Each group had a chair:

- Rod Cookson from IWA Publishing – Principles task and finish group
- Celeste Feather from LYRASIS – Licensing task and finish group
- Claire Moulton from The Company of Biologists – Data task and finish group
- Arjan Schalken from the UKB Consortium – Workflow task and finish group

'a tool kit to enable library consortia and small independent publishers to facilitate ... implementation of transformative agreements'

Principles for open access agreements with smaller independent publishers

The Principles task and finish group worked primarily with journals in mind, and:

- for those publishers, libraries and consortia, in all parts of the world, who want to move forward more quickly together by starting with a shared understanding of what they are setting out to achieve and how they will work together
- to remove the need for authors to pay article processing charges (APCs) or other transactional charges for their open access publishing
- for agreements that can underpin a range of transitional arrangements including, for example, read and publish transformative agreements or Subscribe to Open (S2O) arrangements.

'The principles can foster a relationship of trust between stakeholders and are supported by practical tools'

The principles can foster a relationship of trust between stakeholders and are supported by practical tools that assist in their implementation. If widely adopted without customizations, the tools provide smaller independent publishers, libraries and consortia with a more equitable transition path to full open access.

Recognizing that the world is changing rapidly and needs to continue to change in order to increase equity and achieve a full transition to open access, the principles are intended to be a living document, reflecting the world as it is today and periodically refreshed by stakeholders convened under the auspices of ALPSP and OA 2020, which is a global alliance committed to accelerating the transition to open access. This process will enable the principles to provide a flexible framework in which stakeholders can work well together.

'the principles ... provide a flexible framework in which stakeholders can work well together'

One of the challenges encountered in producing these first principles was the issue of APCs in the wild, i.e. open access article processing charges paid for in the past directly by authors from budgets outside the scope and control of libraries.³ This is because from the perspective of a smaller independent publisher, the most practical way to reach a first agreement is to move forward based on current expenditure. In this case, overall institutional expenditure to the publisher should be neutral or lower than the library expenditure on subscriptions, author expenditure on APCs and any other existing publishing expenditure combined. From

3 the perspective of a library or consortium, it may be very challenging indeed to provide the same revenue for the publisher without recourse to budgets held elsewhere in the institution. The task and finish working groups encourage open discussion between the parties to find pragmatic solutions to this shared challenge.

Access to research benefits not only authors but also learners, readers and research institutions as well as charitable, government and private sectors around the world. By implementing shared standards for transformative arrangements, smaller independent publishers, libraries and consortia can accelerate the transition to open access and maximize these benefits.

Price and cost allocation principles

1. Prices should be fair, reasonable and reflect the range of services provided to authors, institutions and readers.
2. Renewal proposals may include a reasonable inflation-linked price increase.
3. There should be differential prices, in recognition that wealth distribution is uneven. For example, differential geographic pricing should be based on transparent metrics such as purchasing power parity (PPP). All parties need to agree on provisions for those who cannot afford to pay anything at all.
4. If the agreement is with a consortium, the consortium is free to allocate the total cost amongst members in whatever way it chooses.
5. Prices for publishing services in the initial agreement should be based on article numbers published in preceding years and forward projections based on actual data.
6. Agreements should include risk-sharing for both parties around future changes in article volumes and provide predictability for future pricing.
7. If a library or consortium has an agreement that covers an author, the publisher should not charge the author or their institution any further publishing fees.
8. Agreements should be transparent. The Plan S⁴ price transparency requirements are the emerging standard in this area, and all parties are strongly encouraged to align with these.

Principles for open access

1. There should be an explicit acknowledgment that the agreement is a mechanism for transition with the aim for the publisher to shift their portfolio to full open access over time.
2. The term of the agreement should ideally be two years or longer, to minimize the administrative burden on both parties.
3. The agreement should cover open access publishing services and reading services (if any content is paywalled).
4. Authors should retain copyright in their works.
5. All eligible authors within an institution or consortium should receive unlimited open access publishing with no caps on article numbers in titles covered by the agreement.
6. Eligible authors are corresponding authors affiliated with the paying institution, and who acknowledge their institutional affiliation in the article.
7. If, in exceptional circumstances, the parties agree on a cap on the number of articles to be published open access, authors should be able to make their accepted manuscripts available with no embargo and under a licence that allows reuse by all, in perpetuity, such as those endorsed by Plan S.
8. Articles should be published open access, immediately and in perpetuity, under a CC BY or other Plan S compliant licence.

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9. The publisher should provide perpetual post-termination access to read the content published during the term of this and preceding agreements. This does not include discrete, digitized backfiles paid for under a separate licence agreement.
 10. The parties should publicly share the agreement via (amongst others) the ESAC Registry. (The ESAC registry of transformative agreements is a community-based initiative of library practitioners.)
 11. Common standards should be used for identifying authors (e.g. ORCID iDs), funders (e.g. Funder ID) and institutions (e.g. Research Organization Registry (ROR)).
 12. The agreement should set out the reporting requirements which will enable the parties to evaluate the agreement.

Data template

Data are used in several ways for open access agreements. For example:

- by libraries/consortia to evaluate and compare offers
- by smaller independent publishers to present proposals, present renewal proposals and to report on transformative agreements.

The Data task and finish group of librarians and publishers, therefore, crafted a data template as part of the toolkit. Their aim was to move quickly to craft a simple data template to inform negotiations between libraries/consortia and smaller independent publishers. The task and finish group surveyed the community, via the members' own networks and some key listservs, and liaised with organizations such as Jisc and the OA Switchboard.

Survey responses confirmed that providing data to inform negotiations is a significant pain point for smaller independent publishers. The survey asked libraries and consortia if they would accept a standard core of data that included only (1) current subscription fees, (2) a DOI for each article published by an affiliated corresponding author broken down by institution and year, and (3) the APC paid for each article, if any. The answer was no, and in descending order, customers desired the additional data shown in Figure 1.

'providing data to inform negotiations is a significant pain point for smaller independent publishers'

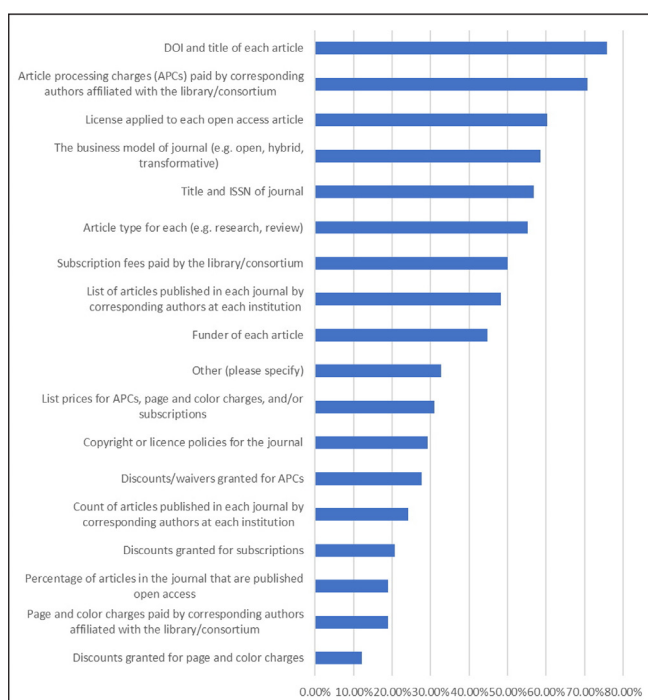


Figure 1. Based on the responses to the Data task and finish group's survey, the first nine of these requests are included in the data template (i.e. all the additional requests supported by more than 40% of respondents). Article type is desirable rather than mandatory, as there is variation across disciplines about this and no controlled vocabulary on which to rely

5 In evolving the data template, the group included the identified core of data plus additional data points identified by 40% of customer respondents as important, required, or desired. The group excluded desired data if they were aware of other free sources of the information (e.g. the new Plan S price transparency service that will provide insight into publisher list prices).

The group also noted that a key challenge recurred repeatedly in responses, and this was the difficulty all stakeholders have in handling the open access arrangements for articles with multiple corresponding authors from multiple institutions. It is quite unclear where publishers should send invoices and under which institution's open access agreement the article might fall. This is an important issue, but one that the data template cannot solve, and so was out of scope for the current exercise.

To produce the data template, Figure 2, the group worked from existing templates – notably the SPA OPS 1.0 template, created by Information Power Limited in 2019, and Jisc reporting templates for its OA agreements with publishers – and adjusted from there.

'a key challenge ... was the difficulty all stakeholders have in handling the open access arrangements for articles with multiple corresponding authors from multiple institutions'

Data Template													
Subscription spend		Total articles authored by affiliated corresponding authors		OA articles authored by affiliated corresponding authors				Total Spend (Subscription + OA)		Currency (e.g. £, \$, €)			
2021	2022	2021	2022	2021 OA article count	2021 OA spend	2022 OA article count	2022 OA spend	2021	2022	2021	2022		
Article DOI	Institution Name	Journal Title	Article Title	Relevant corresponding author full name	Relevant corresponding author official institutional email address	Relevant corresponding author ORCID	Article Type [DESIRABLE] (e.g. research, editorial)	Is article OA? y/n	OA license	Article APC fee charged to institution (avoid tax)	Currency (e.g. £, \$, €)	Funder ID [DESIRABLE]	Funder name [If no Funder ID is available]
List below the name of each journal title included in offer		Standard identifier (i.e. ISSN, ISSN-e, ISSN-l, or journal title DOI)			Business Model	Does this title give our authors the ability to use a CC-BY license on articles?		Comments					

Figure 2. Data required from smaller independent publishers at the start of an OA agreement negotiation with libraries and consortia. Larger publishers should provide at least these data and perhaps more⁵

Example Licences

The Licensing task and finish working group was asked to update a model licence for open access agreements. However, the group decided that a 'one-size-fits-all' approach is impractical and ineffective, and instead opted to create a wider range of tools to support the continuum of models. These example licence agreements mean that organizations will not have to start from scratch. Some library consortia already have a standard model licence agreement, and so example addendums were created, which can be incorporated for open access or S2O agreements. The group also created an example template for crowdfunded initiatives and a modified checklist to satisfy basic procurement requirements.

'the group ... opted to create a wider range of tools to support the continuum of models'

Six example agreements are available in the Toolkit to support different business models for open access agreements and different standard practices of libraries and consortia, and illustrated in Figure 3:

- **Example Open Access Licences Agreement** – for read and publish agreements. This is based on the SPA-OPS Model Licence, which was based on the Jisc Model Licence.
- **Example Open Access Licences Addendum** – for read and publish agreements that consortia can include in an existing model licence.
- **Example Subscribe to Open Licence Agreement** – for S2O agreements, with optional clauses for reporting if a library consortium so requires. This is based on the SPA-OPS Model Licence, which was based on the Jisc Model Licence.

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- **Example Subscribe to Open Addendum** – for S2O agreements that consortia can include in an existing model licence.
 - **Example Crowdfunder Participation Agreement** – for community-led open access investment programmes.
 - **Example Elements of a Procurement Agreement** – this is a light touch agreement that publishers, consortia and libraries can use if a negotiated licence is not a requirement.

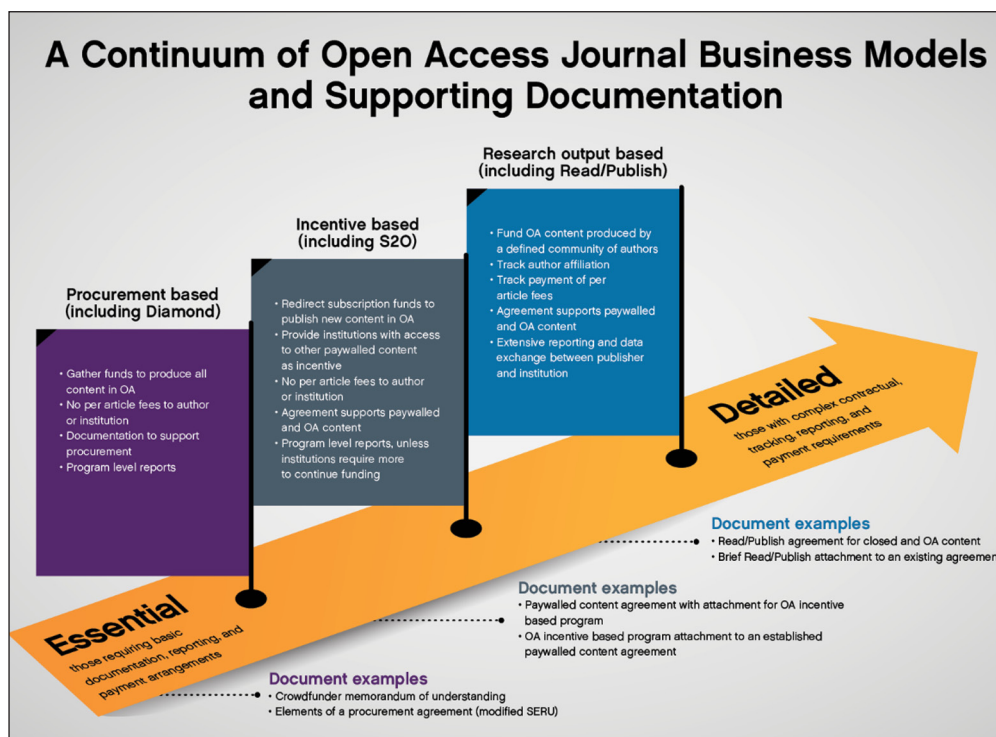


Figure 3. Six example agreements in the OA Toolkit support a range of needs, from one-page agreements to support crowdsourced funding to a full contract with a library consortium supported by individual agreements with its member libraries. (This infographic was created by LYRASIS)

Workflow

Scholarly publishing is in transition from business models based on access provision (subscriptions) to an open access paradigm based on the provision of publishing services. This transition touches not only the business relationship between publishers and libraries/consortia on behalf of their authors, but all checkpoints and phases of the publishing cycle in fulfilment of the open access publishing agreements they conclude together.

The realization of a transformative deal can be a complex and time-consuming process. Success is not only determined based on the results of the negotiation process, but also in the execution of the contract. To help all parties involved in this journey, this document describes the process in all its phases from initial contact to signing the agreement, and from the implementation of an approval process, to monitoring and evaluating the fulfilment of the contract. The Workflow task and finish group identified the roles and the key information needed during the process.

Because there is no one route to success and the starting point for every publisher, consortium and institution is different, this document is a reference, to inform best practices for planning and implementing open access agreement workflows. It aims to create a shared perception of all elements that can be addressed and implemented without defining prescriptive specifications upfront.

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7 The Workflow task and finish group's overview and detailed documentation describe an idealized workflow to underpin read and publishing agreements, and as such, implementing it in full may be challenging. However, we feel that sharing this is an important step toward automation which will be essential to encourage smaller independent publishers to consider developing such agreements.

This is the first publicly available complete workflow that we are aware of as other existing workflows are proprietary. The group intends this open workflow to stimulate discussion about how system vendors of various kinds can implement it, and how it can be further simplified or aspects of it prioritized.

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Task and finish group members

- Thom Barnes-Wise (*Information Power*)
- Surina Bhatti (*Jisc*)
- Stacey Burke (*American Physiological Society*)
- Erin Calhoun (*University of Toronto Libraries*)
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 - Ellen Finnie (*California Digital Library*)
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 - Tejs Grevstad (*Consortia Manager*)
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 - Robert Kiley (*cOAlition S*)
 - Sharla Lair (*LYRASIS*)
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Abbreviations and Acronyms

A list of the abbreviations and acronyms used in this and other *Insights* articles can be accessed here – click on the URL below and then select the 'full list of industry A&As' link: <http://www.uksg.org/publications#aa>.

Competing Interests

One of the authors is a co-editor of *Insights* but was not involved in any way during the submission, review, or decision-making about whether or not to publish this article. The authors know of no other competing interests.

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Corresponding author:

Alicia Wise

Director

Information Power, GB

E-mail: wiselic@gmail.com

ORCID ID: <https://orcid.org/0000-0002-7898-3428>

Co-authors:

Lorraine Estelle

ORCID ID: <https://orcid.org/0000-0001-7941-9848>

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