Transformative Models for Scholarly Publishing

with
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KENNEALLY: Flexibility and freedom to experiment are critical criteria for any publishing team, building a strategy to automate and manage so-called transformative agreements. Whether read-and-publish, publish-and-read, membership or deposit, transformative agreements incorporate sophisticated contract terms that can become a test of data quality, technology and operational acumen for all parties involved.

With COVID-19 accelerating the pressure to publish open and to adopt sustainable OA business models, the complexity of these transformative agreements and the number of stakeholders involved across publishers and institutions, presents significant strategic and management challenges. The pandemic has taught us all the value of digital agility. In the last 10 months, we've learned to respect data as critical to survival. From the data on the latest surge of the Coronavirus to the data on up-time for mission-critical systems, we must watch the numbers closely.

Briefly, I'll tell you about our panelists today. Sybille Geisenheyner is Director of Open Science Strategy & Licensing at ACS Publications, a division of the American Chemical Society. She supports her colleagues at ACS in working with the institutions, consortia and funders on new transformative models and expanding the necessary infrastructure.

Caren Milloy is Director of Licensing for JISC, a not-for-profit provider of digital services and solutions for higher education in the U.K. In her 17 years at JISC, Caren has undertaken a wide range of negotiations and licensing, developing on-line products and managed research projects on e-textbooks and open access monographs. And also I want to welcome today, Chuck Hemenway, my colleague with Copyright Clearance Center. His expertise lies in the automation of authored payments and institutional approval workflows. He's been a key contributor to the

Rightslink for Scientific Communication platform from inception. And with that, I want to welcome the first panelist, Sybille Geisenheyner. Sybille, welcome.

GEISENHEYNER: Hi, Chris. Thanks for having me.

KENNEALLY: Well, we're very glad you're here and we've heard about your background. You've been working on transformative agreements at ACS in some of your previous posts. And what you have begun to see is that these transformative agreements really are about partnerships. And what I like to say about transformative agreements when you try to discuss them, it's like trying to discuss marriages. No two are alike and it's like marriages and snowflakes, and now transformative agreements. But you have come to a certain viewpoint on this and you want to share that with us, and it begins with a common set of principles, for all of those who are involved in these negotiations.

GEISENHEYMER: Yes, exactly. I think that's always one of the main points to start, actually, discussions on negotiations around transformative agreements or deals. Yeah, to get – to set the scene right and the expectations right. And here at the ACS, we actually developed for ourselves a set of principles where we think we should not try to lose – to focus on our ways to a transformative agreement. And to communicate those right at the beginning, if you enter into negotiations, is very important, from our perspective.

And just to mention a couple out of those principles, those are, for example, that the researcher and the author is really key for us and should be the first ones supported by such agreements. And another point, for example, is to make those deals sustainable, also from a perspective for society and so we can sustain our mission in the future. This is very important. And also, for us to go into those partnerships, we think it is important that both sides really recognize the value and appreciate the role of society publishers and scholarly communication. This is just to mention a couple of those principles we always – right now put on the table right in the beginning.

KENNEALLY: And once those principles are there and agreed to, is another challenge which is to manage the expectations that the parties have coming into these. I mean, this is – we talk of them as transformative. This is about transforming the relationships that publishers have with the institutional clients and with others. You have to manage expectations here for a number of parties and that must be a challenge, as well.

GEISENHEYMER: Yes. And this is really on both sides of the negotiation tables. It's really for consortia in their role to manage the expectations in their membership base. It is on a publisher's side, as well, to manage those internal expectations coming from those deals. So we need to set that right in the beginning or at least, yeah, make those expectations transparent or

show what is underlying them. It's a very important step towards coming to a common agreement.

KENNEALLY: Well, we have to do that in all of our work, but this is a job that really you see as fundamentally about data, about data sharing – communication that is based in data, not just the hi, how are you, and the negotiations that happen in a room or on Zoom. They have to be grounded in the numbers. Tell us why that's important.

GEISENHEYMER: Yes, I think both first points – the really underlying principles really that the data which is behind such agreements are facts and you can't negotiate them away or you can't talk them away. They are simply there. Those might be publishing output from institutions or the reading parts or heavily-reading institutions. Those are simple facts you have to communicate right at the beginning and to get the data right and correct is a challenge, as well. And I think this is also something what is true from an institutional perspective, but as well from a publishing perspective.

And I mean, we had to really heavily invest into some, yeah, instruments or workflows or tools to actually get those things right. And like getting the workflows and the data right, for example. And this is why we have a partnership with the Copyright Clearance Center here as well, to have a tool available which is really helping us to perform those exercises. And without correct data, those deals really get unmanageable, in a way.

KENNEALLY: Well, I think our next panelist is going to agree with you 100% – maybe 110%. Caren Milloy with JISC, welcome to the program here for STM Week. And, as I say, I think you would agree with our previous guest, Sybille Geisenheyner, with ACS Publications, that data is integral, as it says, to – I should say transformative agreements. But talk about that and sort of pick up where Sybille left off – this point about negotiations being grounded in data.

MILLOY: Yeah, absolutely I wholeheartedly agree. You know, we've been negotiating agreements on behalf of the U.K. universities for a significant amount of time. You know, our first trans – we actually call them transitional – transitional agreement –

KENNEALLY: You do. OK.

MILLOY: – was in 2015 and that's – actually our members that told us to do that. And as a result of that, you know, and this ties with what Sybille was saying with regards to principles, our institutions have set out their requirements for a negotiation for a transitional agreement. And a critical component of those requirements is that in order to enter into a negotiation, we have to have the data.

It is absolutely imperative to being able to find a model that is suitable for the sector, for our members, but also for the publishers, that we have a broad range of data that covers the holistic view of both the reading and the publishing. And so we've made it really clear in our requirements that, you know, the data is an absolute necessity to entering into a negotiation.

KENNEALLY: And that's because, for the obvious reasons of affordability and sustainability. And I'm sure this is something that's not only on your side of the equation, but also on the publisher side. But share with us your perspective. That's important for this audience to really understand since we're all publishers – are working with these consortia, with the institutions in really fundamentally different ways with these agreements.

MILLOY: Yeah, I think obviously we're in a new financial environment with the impacts of COVID in our – you know, our members are seeking affordable and sustainable agreements that will support their compliance with their funder mandates and that's absolutely central to those negotiations alongside the transparency. And, you know, we spend a lot of time working alongside our publishers, to-ing and fro-ing on the data, looking at the data, thinking how the data might be used, how it could be modeled in different ways.

And we're talking about subscription data, you know, numbers of articles published by U.K. authors, existing spend on APCs, which articles have been funded by our research funders, which articles have been funded directly by academics – you know, that whole raft of data is essential in order for us to think about what's actually going to work for a really broad and diverse membership what we have. You know, we've got very high research-intensive institutions to those that publish only a few articles a year, and to try and map and think through how we can make it affordable and sustainable, alongside thinking about the publisher's portfolio. And that point that Sybille made is really important around the society publishers, as well. You know, we have to make it work on both sides.

KENNEALLY: And we will get to a view of that challenge you have with this enormous group of institutions. But let's also remind everyone that these are agreements that last over time and they require compliance and a sense of confidence that has been agreed to on day one is in force on day 366, right? And tell us why that's important.

MILLOY: That's right. So in order to evaluate and understand how these agreements are progressing – and I would say, you know, this is a learning curve for everybody. Every single agreement that we negotiate is slightly different. It's never just a standard model. There's nuances to it all. And therefore you really have to think about pooling the data from the beginning, prior to the agreement being in place, all the way through in order to support that evaluation of how effective that agreement is being for our members, but also on the publishing side of things and how far we are progressing in terms of moving towards fully open access being implemented.

So that's absolutely essential and we work, again, really closely, I think, with a lot of the publishers. You know, we've worked really closely with many society publishers over the last year to think about how we can improve the data workflows, how we can improve the data visibility going out to our members and how we can utilize that data to pull into our transparency oversight group that we working with publishers on, which would be looking at that particular issue of how do we move away from the legacy model all the way through to paying for publishing services.

KENNEALLY: And, indeed, as you are managing all of that, your goal is to find some balance here. And this is a bit of a gymnastic trick, really, and this slide gives us an idea of the challenge you have because, as you pointed out, there are really research-intensive institutions in the consortia, but there are others with less focus on that and that really matters to these agreements.

MILLOY: It does indeed. And it's about trying to find the balance for each and every institution that we're trying to negotiate on behalf of, and also thinking about the balance on the other side for the publisher. And we need to think about sustainability here. There's absolutely critical. You know, as you can see in this graph, if you can interpret it, you know, the more research-intensive an institution is, the more likely they are going to see higher costs.

So it's about how we are transitioning, how we are allocating costs and what work we need to do to make it more affordable for institutions and that means that there's more likelihood of us needing to pull in green self-archiving to make it affordable in the long term for institutions who are very research-intensive. So it really is just about trying to find the correct balance and then moderating and evaluating that as we progress through an agreement.

KENNEALLY: Well, as I say, it's really quite a trick. But if it's all based on data, I have to ask you to tell me in a word what you think of publisher data.

MILLOY: Variable would be –

KENNEALLY: That's being kind, maybe, I hope. But honestly, I mean, would you say that now that you've had a glimpse of the condition of data that you see from your publisher partners, and there are publishers in this audience here, they need to know. What do you think of the condition of their data?

MILLOY: I would say, in all honestly, that my team of data analysts spend as much time cleaning and verifying data and working with the publishers to do that as we do on the actual negotiation meeting. So I think that probably gives us an indication of just how tricky the data is to pull and to sew together with all the different pits, (sp?) for example, that we might need to link it to.

KENNEALLY: All right. Well, Caren Milloy with JISC, thank you for your candor with that. And I want to now bring on my colleague at Copyright Clearance Center, Chuck Hemenway, who has some thoughts about data and some tips, some to-dos, for publishers who are trying to get their data in the kind of order that they need to have to work with people like Caren. Chuck, tell us about that.

HEMENWAY: Chris, we're seeing a fair spectrum of data-readiness with publishers as we help them operationalize and prepare to interact with stakeholders like JISC, like others – you know, to have these meaningful relationships in the market. We're seeing a real broad spectrum of readiness. And at one end, you have partners like ACS, right, who are, I think, constantly in a state of self-audit and realignment with data, data values and data management. We see a fair number on the other end of the spectrum, who have hidden data behind the couch and, you know, rarely take it out and look at it.

And unfortunately for them, when they strike these deals, when they have partners and stakeholders that they want to work with, you know, that's not the time to start thinking about your data game. So what we're finding and what we see as a pattern is that publishers are struggling to operationalize data management. They're struggling to find the right balance of skill sets to manage these new deals, to manage a transition, to support all of these new business models, whatever they may be. They could be mutations of a commercial model, you know, offsetting agreements – anything. Or completely new models like membership models.

The one thing that they have in common is that they all require good metadata to run. And good metadata to have a great foundation and a great relationship with those market stakeholders, you know? If you are gating someone subscription price based on the number of articles published, by God you really need to make sure you have your data sorted when you calculate their membership or their subscription for the coming year. So we are seeing publishers learning and evolving and starting to build up those skill sets, define roles.

I know at ACS they've done these types of things where they have folks like Sybille who know specifically – this is their focus, right? This is a key objective of their time. So we're seeing some patterns emerge in the market also by the other participants – the vendors, the suppliers, right? We're starting to see less forgiveness, I think, as well, for missing data elements. You know, we've been hearing the eat-your-vegetables message for a decade now about data, right?

We all know – brush your teeth, eat your vegetables and have good data is, I guess, the third. But it's getting late in the game for publishers that don't have the bare minimums and they may wind up on the outside looking in, in some cases, because the drive for, you know, cost controls and all of that will require that folks come to the game prepared and come with a minimum set of data to work with.

KENNEALLY: And that means leveraging the kind of standards that are out there and available to everyone – ORCID and Ringgold being the ones that come to mind right away, working with Crossref and others. But I was surprised when you put together this list of tips for publishers, that it includes this second item, which is to get rid of all those personal e-mail addresses. Why is that something that's important?

HEMENWAY: Well, I think the first one is very aspirational for many publishers. They may be spread across multiple manuscript systems and I don't mean to be cheeky by putting it up there, but this is something that they should aspire to do and plan to do. But one thing that they can do probably quickly is that second one, which is to start to sunset the use of personal e-mail addresses because if they're struggling to get clean affiliations and clean funder data, if they can at least get an institutional e-mail address, it creates one more data point that can be harvested and mined and used to help sew together the insights that Caren and everybody else in the market needs to negotiate in good faith and to work fairly across stakeholder relationships.

KENNEALLY: And it's really, as a way to end this before we get to some questions from the audience here, this is really an ongoing challenge. This isn't something you can sort of take care of once and like painting a house, get back to it again maybe in 15 years. You've got to be doing it almost daily.

HEMENWAY: Yeah. And I would say that based on what we've heard here, not just my anecdotal musings, that the time and money invested in good data up front probably pays off at least one to one after the fact, right? For every dollar spent or every pound spent getting data right, it's a pound that Caren and her team don't have to waste. And it's a pound that every institution doesn't have to waste. So I don't know if there's a very good ROI analysis out there. If not, it's something we should think about a market.

But I would argue that these things need to be budgeted for – time, energy, money, right? If you can only budget one of the three, at least budget time. Get auditing onto the calendar as a publisher. Start to look at your metadata and know your gaps so that you can begin to have a plan and begin to close those gaps before you're left out of certain parts of the market which is not what we want to see.

KENNEALLY: Right. All right. Well, I think the message has been received that data is critical to these transformative agreements and to organizing ourselves around these new business models. Let's see if we can get to a question. I believe we have something here and it's from an anonymous attendee and it's how do the panelists keep on top of finalizing transitional or transformative agreements and signing them while out of the office?

There's a challenge in this world of the virtual conferences and a pandemic. There's complexities involved, of course, in all these agreements. Many of them are published on line so we can all see what these agreements look like. How, Sybille Geisenheyner at ACS Publications, how do you manage that negotiation process in this virtual environment? Is it a challenge?

GEISENHEYNER: To most of the situation working now from home, there's always pros and cons for that. I think the situation right now actually allows more flexibility in meeting or set-up meetings with people or with negotiation groups because everyone is in the same situation. You are not timed in more like this conference plan, so in previous times it was more like we meet at UKSG and then we meet at Frankfurt, and so you had these very date points in your calendar. And actually there is much more flexibility now and from that perspective I think it's even much easier to negotiate them now instead of making it more complicated. So I don't see a big obstacle from that side.

KENNEALLY: I see your point about getting people together may, in fact, be easier. And Caren Milloy, briefly what do you think about that and with just the minute left that we have here, perhaps we can address Kaveh Bazargan's question regarding funder data. We've been talking about the data that the institutions have to share, the publishers themselves and, of course, the other partner in all of this, the critical piece of this is the funders – where the dollars and the pounds are coming from. Caren?

MILLOY: Yeah. I think the funder data is absolutely essential and a lot of the systems are reliant upon the author selecting their funder and putting that in. And I think we need to get to a more automated process where the funder grant systems are joined up with the submission systems, etc., and that, for me, is reliant on the implementation of persistent identifiers across the board and the adoption of those persistent identifiers. And that, I think, will ease that process and probably the burden that it puts upon the author to select their particular funder. But it's absolutely essential and we have to go back to our institutions to verify the data, to say which of these were funded at the moment and that's not always a swift thing to do.

KENNEALLY: I want to thank our participants, Sybille Geisenheyner with ACS Publications, Caren Milloy with JISC and my colleague, Chuck Hemenway with Copyright Clearance Center. We want to thank STM, Nancy Roberts and Janine Burr-Willans for organizing the program and Jo Dinnage for making this all happen and with that, I'm Chris Kenneally. Thank you for joining me and the panel.

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