**UKSG**

When will we be transformed? Reflections on the experience of working with transformative agreements as a cross-library working group

2023 marked the third year of a new model of libraries consuming packaged content from publishers that combines access to licensed content and materials with opportunities for an institution's authors to publish open access in transitional agreements. University of Nottingham Libraries has met this development through a 'transformational' shift in decision-making procedures by the formation of a new working group. The Read and Publish Group is a cross-library initiative bringing together expertise in licensing, content and acquisitions alongside open access and research publishing. This case study discusses the external context for this shift in practice, the specific needs and internal structures at Nottingham that shaped its early formation, and why the library took the decision to invest significant time and effort in reviewing and managing these deals. It explores the benefits of the cross-team approach and provides best practice in group operations and managing a substantial number of agreements effectively. Through the lens of the work of the group, it reflects on the fine balance of the library-publisher-patron relationship and its desire to be principled and transformative versus the more pragmatic, incremental style of change.

Keywords

transformative agreement; open access; read and publish; case study; transitional agreement; transformative journal
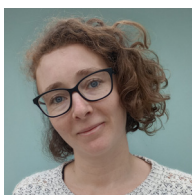
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Introduction

Transformative agreements (TAs), which are also referred to as transitional or 'read and publish' agreements, are contracts negotiated between institutions and publishers that combine both subscription payments (the 'read' part of the agreement) and article processing charges (APCs, the 'publish' part). In this way, they primarily aim to flip hybrid journals to fully open access thereby attempting to transform the business model, with open access journals being the primary channel for publishing, disseminating and accessing research findings.

Achieving open access via journals currently comprises a range of publishing, payment and licensed access models, including gold (open read costs covered by author APCs), hybrid journals (a mix of subscription-based reading and open), and green (subscription-based reading plus access to articles via repositories). TAs are one way in which the publishing landscape is moving towards immediate open access, with the intention of minimizing the financial impact to full and immediate open access and creating opportunities for collaboration, publisher engagement and scholarly communications with researchers and authors.[1]

The driver to transition was largely to combat publisher 'double-dipping', whereby a subscription income and an open access income is being derived from the same article. This has been a concern of universities and research funders, with funders especially having invested significantly in hybrid open access.[2] In 2018, the Plan S implementation guidance promoted TAs as a compliant, funded publishing model during the transition to full and immediate open access.[3] A key Plan S principle is that publishing in hybrid journals can only be funded if they are part of one of these arrangements. From January 2021 the UK's major research funders, including UKRI and Wellcome Trust, implemented the Plan S principles into their open access policies.[4] In the UK these agreements are negotiated by Jisc Collections, and since its inception Jisc has focused its efforts on ensuring the majority of UKRI-funded research can be published compliantly through their negotiated deals.[5]

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This article was developed from our presentation at the 2022 UKSG conference 'Transforming decision-making in the Library – The University of Nottingham (UoN) perspective on read and publish agreements'.[6]

Institutional and library context

The introduction of TAs prompted us to work out how to engage with this development within our institutional context. We are a research-intensive, global university, with international research and teaching partnerships across campuses in the UK, China and Malaysia. UoN Libraries operates a functional model of service delivery whereby each team is responsible for a specialist library function, including collection development, information and digital skills teaching, research support and customer services. This means that many activities, decisions and initiatives across the library must be shared and communicated clearly between teams to ensure the best outcomes for library users.

The Resource Acquisitions team purchases and manages UoN Libraries' content, licences and materials, ensuring that the resources budget is expended effectively by collating cost and usage data for assessment and review purposes. The Research Support Team helps facilitate researchers' scholarly communications activities, including open access guidance, funder requirement compliance and funder block grant approval.

The cost and content analysis and purchasing expertise associated with the read element of TAs therefore naturally sat within the Resource Acquisitions team and the complementary expertise in funder requirements and publisher author data analysis required to assess the publish element was situated within the Research Support Team. By drawing on the different areas of expertise and dissemination of relevant information across teams, an informal collaboration developed to facilitate a more rounded review of agreements operating under the new TA model.

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Forming the Read and Publish Group

Whilst continuing this informal arrangement, both teams noted that TAs were increasing in number and complexity. Recognizing the potential benefits and opportunities in sharing expertise and knowledge, in February 2020 we proposed establishing the Read and Publish Group (R&PG), a cross-team library working group to manage TAs on a formal basis.

The working group proposal included a scoping statement which outlined high-level review principles, roles and responsibilities and key challenges associated with TAs, specifically:

- managing and disseminating information around read and publish deals (via Jisc, societies, academics etc., including deal summaries and benefits)

- identifying and establishing value for money (VFM) indicators for both the read and publish elements (e.g. cost per use data, price comparisons with current subscriptions and APC costs, author publishing patterns)

- review and decision-making (feedback, whether to accept or reject deals).

> 'Recognizing the potential benefits and opportunities in sharing expertise and knowledge … we proposed establishing … a cross-team library working group'

The scoping statement also identified practical and operational needs, including confirming membership and organizing regular meetings to discuss and review TAs, co-ordinating responses to survey questions and providing feedback, and managing the workload across teams.

Both teams recognized the potential value of a shared, dedicated group responding to day-to-day operational needs whilst also looking to future developments in this fast-moving area. The proposal was welcomed and accepted, and the R&PG was formed. Comprising operational and senior staff from the two teams, the membership structure is inclusive and flat, pooling collective knowledge from both areas. This allowed the range of tasks to be allocated appropriately based on responsibility, ensuring there is expertise covering all aspects of the process and that decision-making is coherent, consistent and evidence based. Colleagues from Research & Innovation (R&I) are non-standing members, with budgeting oversight and reporting responsibilities for the University's block grant funders. They also collaborate in recharging TA costs.

One key aspect of the group's approach that needed to be addressed at the outset was the financial structures and constraints in place to fund these agreements. At the time of the R&PG's formation, TAs were funded solely by UoN Libraries' subscriptions budget. Due to the nature of TAs, we needed to establish a new set of VFM indicators and an evidence base comprising of both read and publish data to evaluate the deals. This meant that we were limited by our existing budget and could only accept agreements where subscriptions could be converted to open access rather than deals which were fully open access.

> 'we were limited by our existing budget and could only accept agreements where subscriptions could be converted to open access'

We recognized a strategic-level strand around long-term funding of research publishing, but a pragmatic decision was made to focus on the management, funding and implementation of TAs through library budgets. Later, in collaboration with R&I colleagues, we were able to build on our initial success by utilizing funder block grants to support TAs, thereby providing opportunities to accept a wider range of agreements. The group maintained an awareness of university-level funding discussions and, where possible, took opportunities to highlight the constraints of the funding model to senior stakeholders.

Reviewing a TA

We primarily focus on TAs negotiated by Jisc, which, as part of its publisher negotiations, consults with member institutions to work towards an acceptable TA proposal.[7] This consultation can take the form of a review of a TA proposal, whereby we will review the offer and provide feedback. Larger agreements may have a sentiment poll to indicate the acceptability of a proposal. If a proposal is accepted by the majority of the polled institutions, Jisc will provide a final agreement, including a publisher offer document and licence, content, costs and publishing data. At this point we will undertake a full review of the agreement with the aim of accepting or rejecting it.

The review data comprises two distinct areas: gathering quantitative information on publishing activity and costs and qualitative information on the author offer. This data is added to a decision matrix, comparing the different read and publish elements (see Table 1), which, when combined with the publisher offer document and licence, allows the R&PG to undertake a holistic review of the TA.

Agreement	Quantitative elements	Qualitative elements
Read offer	• Read cost increase/decrease over time (three years). • User metrics (COUNTER, platform reports). • Usage data analysis – cost per use.	• Does the read offer cover all users at the University (including transnational education access for University of Nottingham China and Malaysia)? • Does the agreement offer increased access to content? • Does the agreement offer value within wider collection (e.g. supports a strategic research or teaching area)? • Does the resource comply with sectoral standards (accessibility, COUNTER, etc)?

Publish offer	• Publish cost (including VAT).
	• Rate of university publishing activity in the three years prior to the offer:
	  ◦ from that output, the value of corresponding authorship based on their current list price APC
	  ◦ the three-year window is extended to five if the publisher has a social science or humanities focus.
		• Does the publishing offer include all authors at the University (including China and Malaysia)?
		• Is the agreement funder compliant?
		• Licensing options
		• Is there an author workflow in place?
		• Sectoral benefits:
		  ◦ Does the agreement include progressive treatment of author rights?
		• Does the publisher provide comprehensive author data reporting?

Read and publish offer	• Other costs (e.g. data charges, hosting fees).	• Does the agreement include an annual opt out? • Is the agreement transitional?

Table 1. Summary of key read and publish agreement elements for the R&PG decision matrix

Once the decision matrix data is complete, a subset of members will review the TA before presenting a summary to the wider R&PG. The pros and cons are discussed, and a final decision is made by the group before accepting or rejecting the agreement.

Accepting or rejecting an agreement results in further work. When we accept an agreement, we will liaise with the publisher to confirm licence terms and clarify author and article eligibility. One UoN-specific aspect is establishing whether our authors in China and Malaysia are eligible to publish under an agreement, particularly where those campuses already pay for read access, either via negotiated access within existing agreements or a separate subscription. Agreement documentation rarely covers these circumstances, and we make considerable efforts with publishers to clarify the eligibility of our UK, China and Malaysia authors in relation to TAs. We also establish workflows for both authors and libraries in submitting and accepting articles for publication, including access and training for publisher dashboards and reporting. If an agreement is rejected, we may seek a read only option or another model such as publish and read.

'We … establish workflows for both authors and libraries in submitting and accepting articles for publication'

Once an accepted agreement is active, there will be significant ongoing activities in administering deals, troubleshooting issues and ensuring that our author information is current for each agreement term. We will continue to pay any associated invoices (including VAT where applicable) and check for opt outs and changes to content.

Reflections on implementing TAs

Undertaking the consultation, review and implementation cycle of TAs by the R&PG has influenced the strategic planning and priorities of both teams. Our collective evidence-based review process has been successfully applied to a range of agreements with very different costs, content and publishing options. At the time of writing, we have reviewed 69 TAs from a diverse range of international publishers, including specialist societies, not-for-profit collaboratives and large publishers: with publishing options ranging from a single year TA covering three hybrid and three full open access titles to multi-year, multistage agreements with 'bolt-on' options such as additional publishing in fully open access journals. Of those reviewed, we currently have 33 live agreements.

These review processes are complex and time-consuming, and it has collectively felt necessary to invest quite heavily in TAs and the work of the group. We continue to develop our practices, being mindful that part of the R&PG's purpose and function is to maximize open access publishing opportunities aligned with the University's strategic aims of increasing the reach and impact of its research.[8] But it should be noted that the introduction of TAs has significantly changed our working practices on both strategic and operational levels. The number of TAs has increased but also become more segmented as agreements offer bolt-on publishing options, meaning that additional funding is necessary to publish in key titles. Conversely, a number of 'big publisher' agreements involved reviewing several iterations before finalizing, necessitating significant investment of staff time at each stage, whether for a renewal of an existing agreement or when reviewing an entirely new TA.

> 'the introduction of TAs has significantly changed our working practices on both strategic and operational levels'

When operationalizing a TA, for the Research Support Team in particular, our work assisting researchers has also changed significantly meaning that, for gold open access, we no longer have a client base primarily of funded researchers, but now advise all members of our entire research community who publish. As a result of TAs, we are supporting increasing numbers of authors with their submissions, whilst also engaging with researchers who traditionally have been disengaged from the pay to publish model (i.e. unfunded authors), and therefore may require additional support. As such, administering TAs now represents the majority of operational staff workload. There is a new range of workflows and processes in place to support this current configuration of agreements, but our experience has shown that we need to adapt our working practices and be responsive to future developments in open access models.

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Conclusions

The R&PG had a shared understanding that TAs were designed to be transitional and therefore time limited. TAs presented an opportunity to engage with this work as fully as possible during the 'transitionary' period to maximize publishing opportunities, work collaboratively, manage costs and influence the future direction of the sector and market. We are now beginning to see this assumption borne out with the announcements from Plan S and UKRI stating their decisions to no longer fund 'transformative journals' (TJ), given their lack of real transition to open access.[9] According to cOAlition S's 2022 analysis, 68% of the 2,326 TJ titles failed to meet their open access growth targets.[10]

> 'In addition to the stalling of transition to open access within agreements, funding TAs has remained a key concern throughout the lifetime of the Group'

In addition to the stalling of transition to open access within agreements, funding TAs has remained a key concern throughout the lifetime of the Group. With the subscriptions budget needing to accommodate increases in read, publish and VAT costs, the R&PG acts as a forum to co-ordinate and disseminate information around TAs and provides a

transparent and accountable mechanism for final decision-making for a sizable proportion of the subscriptions budget. There is evidence from subscription agents that overall TAs are not achieving the predicted cost savings, 'Based on the hundreds of RAP (Read and Publish) deals EBSCO transacted in 2022, the average overall RAP deal cost is generally at or above the previous "read-only" e-package deal cost',[11] reflected in our own experience of increasing spend year on year. We have also managed additional costs incurred due to the proportional read and publish split of TAs, a result of the UK Government's change to zero rating VAT liability on e-publications from 1 May 2020.[12] This change exempted the read element from VAT but did not exempt the publishing element, thereby lessening incentives for institutions to embrace a fully open access publishing model.

TAs have not transitioned as intended, and the priorities of universities and research funders remain focused on achieving savings, improving compliance and increasing publishing opportunities.[13] We have successfully mitigated funding issues by utilizing block grant funds to expand the number of agreements, including those with existing subscriptions for conversion to open access, but we recognize that this is a time-limited strategy. For publishers, whether professional societies or shareholder-owned companies, the current TA model necessitates receiving payments and realizing revenues from open access publishing. It is clear there are still tensions between the major stakeholders, and questions around the long-term viability of funding and the TA model remain.

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Nevertheless, we feel that the R&PG offers a valuable and pragmatic approach to managing the realities of TAs. We are confident in our decisions due to a robust evidence base which, when combined with the group's collective decision-making, results in a transparent and rigorous review process. This provides a high level of accountability, fulfilling our stated aims of maximizing publishing opportunities, increasing access to content and mitigating costs. The question of whether TAs are transitioning to full open access or whether the model has stalled requires a sector-level evaluation, but we continue to advocate and hope for a route, in dialogue with publishers, that emphasizes collaboration and sustainability in transitioning to an open future.

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Abbreviations and Acronyms
A list of the abbreviations and acronyms used in this and other *Insight*s 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
The authors have declared no competing interests.

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