

Taking it to the Streets: using an open policy environment and outreach to help shape Canada's national collection

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Abstract:

In its role as a national library and archives, Library and Archives Canada develops its published collection systematically through Legal Deposit. As a blunt instrument, legal deposit is intended to assure that the published heritage of a nation is acquired and made accessible to current and future generations of clients. However, LAC has become more and more selective in what it acquires on legal deposit, while also understanding that not all the publishers and music producers from whom it would like to acquire material participate in the program. As part of the renewal of its legal deposit program, it has been drafting a new collection development policy for publications, employing traditional consultation with members of its external stakeholder committees - including librarians - as well as an open information environment that leverages new technology to invite a wider audience to participate directly in the policy-making process. Using such open dialogue to build policy is one way in which LAC supports Canada's objectives on Open Government.

While it may be primarily the users of the collection who are most interested in influencing the collection policy, LAC recognizes that the success of the LD program is also intimately connected to another group of stakeholders who use its services: Canadian publishers. Like other national libraries, LAC offers a suite of services to Canadian publishers, including ISBN, ISMN, ISSN issuance, cataloguing-in-publication and legal deposit, and relies upon publishers to help it assemble a valuable and comprehensive record of Canada's published heritage. To that end, LAC has developed a Publisher Outreach Strategy (POS) in parallel with the collection development policy, with the overarching aim of improving publisher participation in legal deposit. The pillars of the strategy involve rethinking LAC's

approach to business intelligence gathering and dissemination; increasing awareness and use of LAC's services to publishers; and developing staff capacity to effectively implement the new approach.

This paper explores the ways in which LAC is implementing these new ways of doing business to support development of the national collection of publications, the reaction internally and externally to this approach, the advantages and challenges, and the results to date.

Keywords: Legal Deposit, Policy Development, consultation, outreach.

Introduction

Library and Archives Canada (LAC) was established in 2004, when the collections, services and staff of both the former National Library of Canada and the National Archives of Canada were amalgamated. The mandate of the institution is:

- “to preserve the documentary heritage of Canada for the benefit of present and future generations;
- to be a source of enduring knowledge accessible to all, contributing to the cultural, social and economic advancement of Canada as a free and democratic society;
- to facilitate in Canada co-operation among communities involved in the acquisition, preservation and diffusion of knowledge;
- to serve as the continuing memory of the Government of Canada and its institutions”.

The collection includes government and private textual records; millions of architectural drawings, plans and maps; photographic images; films; audio and video recordings; works of art; and textual archives for various individuals and groups who have contributed to the development of the country. In terms of published material, there are approximately 20 million books; over half a million pieces of sheet music; music recordings; newspapers; and hundreds of thousands of Canadian theses, periodicals and books in electronic format.

While published material dates back to the 15th century, the publications as a whole are relatively young.

Unlike other national libraries that collect holdings produced by foreign governments, as well as having historical collections of foreign material (e.g., the British Library's Dutch collection, French collection, etc), LAC's collecting policy for publications has become more focused in the years since the National Library was established, and today concentrates on Canadian publications, or publications from outside Canada for which the author, illustrator or other significant contributor is Canadian, or whose content includes at least 30% related to Canada.

Legal Deposit

Legal deposit is the primary means by which LAC builds its published collection. The requirement for publishers to deposit their output is specified in the Library and Archives Canada

Act and Legal Deposit Regulations. It has been in effect in Canada since the National Library of Canada was created in 1953. It applied initially only to books, but its scope was expanded several times in the subsequent decades to encompass serial publications (1965), sound recordings (1969), multimedia kits (1978), microforms (1988), video recordings (1993), CD-ROMs (1995), and cartographic materials (1997) as well as online or digital publications (2007). Most printed publications are collected in two copies, one of which is used for preservation and one for immediate service purposes.

LAC last formally revised its Legal Deposit regulation in 2007, and in 2016, it became a priority for the organization to review the status of Legal Deposit and to determine if revisions were needed. This review took the form of an internal evaluation of practices and procedures, as well as a review of the legislative and policy framework in which it operated. The work concluded that:

- many policy statements (e.g., specifics regarding particular collection types) are embedded in the regulations and would be better articulated in policy;
- LAC needed greater ability to measure participation in Legal Deposit, and more outreach to publishers; and
- systems and tools generally needed renewing to introduce new functionality (e.g., bulk ingest for electronic publications, enable more efficient workflows, and replace many paper-based processes such as receipting and claiming).

These conclusions set the stage for a reset of Legal Deposit, focusing along two primary streams: the development of a new collection policy for publications, and articulation of a Publisher Outreach Strategy that would fundamentally change the way Legal Deposit staff work, relying more on relationship-building than promulgation of the law.

Building a collection policy in a government environment

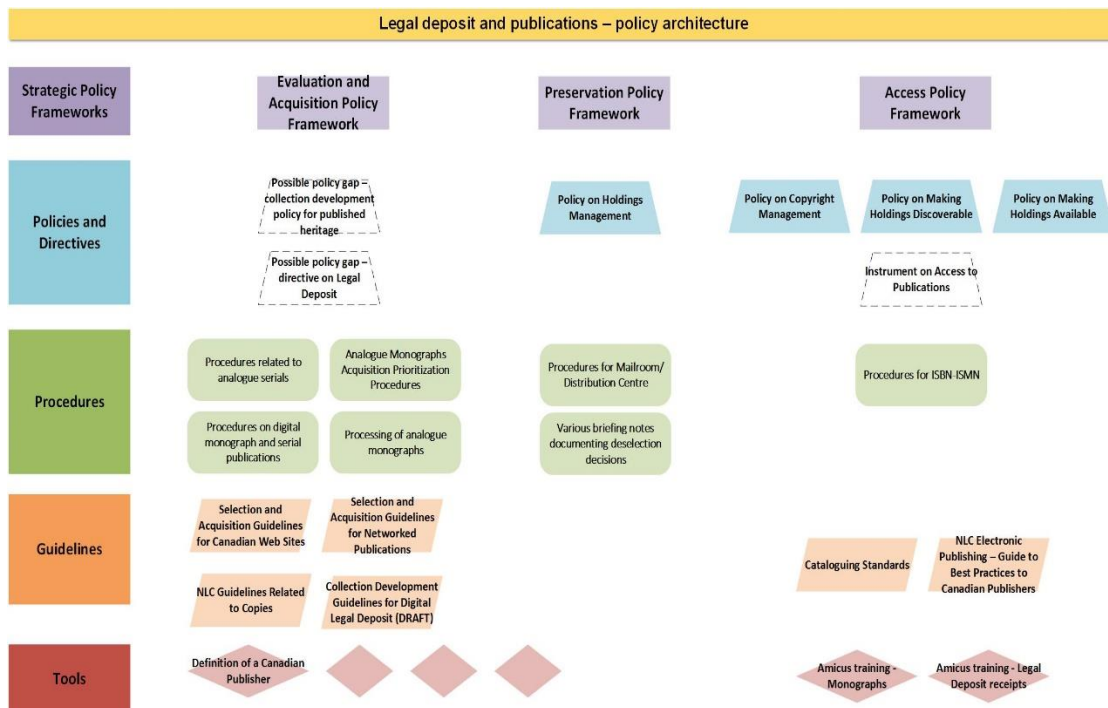
Library and Archives Canada wears multiple hats: it is a cultural institution whose work is symbiotic with others in the same field, including libraries, archives, galleries and museums; it is an institution of the Government of Canada, embedded in the Heritage Portfolio and reporting through the Librarian and Archivist of Canada to the Minister of Canadian Heritage; and it is a knowledge institution, linked to academic institutions through MOUs.

Internally, its organisation, operations and policies mirror those of other Government of Canada institutions. This presented some challenges in developing a collecting policy, as the policy framework is quite different from that for a library collection development policy. Previous collection development policies had been developed by leads embedded in the business areas; currently, strategic policy development is led in a centralized policy area in collaboration with business leads, then operational policy instruments are developed within the business area. For this policy, the business (Published Heritage Branch) and the policy group co-lead development of the strategic policy statements, adhering generally to the government policy framework represented in Figure 1. This had both challenges and rewards – operational staff were more

familiar with business-led policy development and found it was sometimes frustrating to have to adapt the a collection policy to the government framework, but at the same time, the business area got deep experience in policy development that will benefit the organisation in the long run, and the resulting policy was aligned with other LAC policies and Government of Canada policies generally.

The government policy framework as it applies to the Collection Development Policy is represented below. It is a series of cascading instruments flowing from the legal (LAC Act and Legal Deposit Regulations) through high level policy, directives, procedures, guidelines and other tools. Most library collection policies do not have such clear demarcations between the sections of the policy, and tend to be a combination of the high level policy and specific collection guidelines. At LAC, Strategic Policy Frameworks, Policies and Directives are developed with the centralized policy area, while development of the lower level instruments is decentralized.

Figure 1. Proposed architecture for the Collection Development Policy for publications with examples of some proposed and existing policy elements



The resulting policy was heavily consulted internally with representatives from a number of business areas, the policy and research team, through a “policy workout”, through the LAC intranet, and through LAC’s formal governance structure. In general, the high level policy directions (Canadiana, comprehensivity, digital and collaborative) were well-understood and well-supported both internally and externally. The high level policy itself, which speaks of monitoring gaps, understanding participation in the program, was less well understood, as in

general the audiences were expecting to see statements about various formats or collection types as they would in a traditional collection development policy.

Traditional Consultation: Advisory Committees

LAC has a number of advisory committees, whose members are consulted for feedback on a variety of things at LAC.

The Acquisitions Advisory Committee (AAC) is made up of representatives from the archival, library, museum, and gallery (GLAM) community, academia, other Government of Canada organizations, historians, and publishing communities. The mandate of the group is “to provide advice and recommendations on acquisition policies, strategies, orientations, plans, tools, and select acquisitions, taking into account Library and Archives Canada's (LAC) mandate and major client groups”. It meets four times a year, and was a key step to obtain feedback on both the policy and the POS.

In addition to the AAC, LAC also hosts the Services Consultation Committee (SCC), whose members include representatives from the general public, genealogists, professional researchers, members of the media, academics, the Government of Canada, members from key allied professions (archivists, librarians, museums), and information studies professors, as well as a national memory institution executive outside of Canada. Given that our decisions in acquisition have a downstream impact on service, this is also a key committee for us to consult.

LAC also chairs the Stakeholders' Forum, which is composed of members who “represent the diverse expertise and perspectives of Canada's documentary heritage associations and other organizations”. The mandate of that group is “to engage its members in early discussions of Library and Archives Canada's (LAC) strategic, policy and operational directions; to facilitate exchange of information among members, and between members and LAC; and to serve as a mechanism to test ideas and to identify opportunities to collaborate in areas of mutual interest and benefit”.

In general, the feedback coming from these stakeholder groups could be grouped under four headings: strong support for collecting Canadiana as currently defined, rather than extending the mandate to foreign material; ensure that collections could be linked through metadata, which is consistent with an “open linked data” approach; ideas regarding access to electronic material under copyright (which falls outside the collection development policy but is nonetheless very important; and to know specifics about collection types or formats. To bridge the gap between the high level policy and the lower level collection guidelines, we took care to embed questions about lower level instruments during the consultations with external committees, and developed a series of more detailed questions that were presented to cross-organizational staff in a “policy workout”, as well as questionnaires on particular collections that were completed by collection specialists.

LAC also sought feedback at meetings run by some stakeholder groups and library associations.

The advantage of having representatives of the major stakeholder communities join us in forums to discuss collection policy is that they are generally familiar with the collection, can bring various perspectives to the table, and that they represent the majority of the groups who actively use our collections and know and deeply care about LAC's mandate and activities. The process is managed and defined: input is sought on draft documents prior to final versions being released. Once approved by LAC's Management Board, the policy is mounted on the LAC website and people can send comments through a generic web address. Substantive comments are retained for consideration in a further iteration of the policy, which would generally be done annually or on a less frequent basis.

However, with a commitment to serve all Canadians, we wonder about how to reach new audiences who don't know about the collection or our services, and to understand their perspectives as well.

From consultation to participation, from sea to sea to sea

Like a number of other democratic countries, Canada's federal government has committed to Open Government as a way of being more accessible, transparent and accountable to citizens. LAC has for a number of years been actively making data sets available, and proactively opening restricted archival records in a process called "block review"; but we had never used an open government environment for policy development. We asked ourselves what the policy would look like if it were open to the broadest possible audience who could actively contribute to its development on an ongoing basis. Support in general was high, including an enthusiastic thumbs-up from the head of the institution, but there were a number of questions that arose internally.

What if someone started a thread that was completely opposite to what our stakeholders and LAC management had articulated? What if one group dominated the conversation? What if contributors wordsmithed documents rather than contributing broad ideas? How long should we leave the policy up for comment (and how does that mesh with something that is evergreen)? How do we do this with our technical infrastructure? Should we use our "LAC Direct" portal that is a collaborative platform but only supports up to 1000 users who need to log in, or should we be entirely open? Should we do a dry run with our various stakeholder groups first? It was a slow and careful process to build support and arrive at a process that addressed as many concerns as possible but retained the spirit of innovation. Shifting from a "consultation" to a "collaboration" mindset proved a bit of a challenge, but people were very willing to work with us to develop a mechanism that would work.

In the end, we chose the Government of Canada's Open Dialogue portal and software as the platform to reach Canadians. It is part of the Open Government portal, and is used by a number of government departments – largely environment and health-related at present - to seek input from Canadians. It is built more for consultation, guided by a series of questions, over fixed time periods. We have developed a series of questions based largely on feedback from our stakeholder groups and from internal consultation, and will leverage this method to build the

policy collaboratively, using LACs social media platforms, stakeholder lists and website to encourage people to contribute. Planning is in its final stages and we hope to report early results in August.

Building a Relationship with Publishers

In the same way that LAC seeks to collaborate with “end user” clients to develop its collection policy, collaboration is key to our revitalized approach to Legal Deposit. Publishers are a key client group; they consume services like Cataloguing-in-Publication, ISBN/MN/SN, and legal deposit. There were several drivers for developing a Publisher Outreach Strategy to articulate how LAC would build relationships with publishers: the review of legal deposit activities in 2016-17 and the recommendation of improved communication and increased measurement; the Government of Canada priorities of deliverology, innovation and measuring results, and new service opportunities created through renewal of a number of key LAC systems and tools. Overall, LAC aims to increase awareness of and participation in Legal Deposit by providing a client-focused set of services to publishers; by developing business intelligence and products; by systematic monitoring of the industry and improved performance reporting; underpinned by enhanced staff capacity and skills.

The approach was validated internally and externally via committees and presentations. It was tested with publisher representatives in in-person discussion.

To open the conversation, librarians were assigned portfolios that mirrored the way the publishing industry and is set up (e.g., English monograph producers; French monograph producers; serials; music etc). A repeatable methodology was introduced to ensure librarians were gathering consistent and comparable data. This was then linked to measurement and performance reporting, where we took a particular segment of publishers (English monographs) and measured, for publishers considered to be “active” the percentage that deposited publications with LAC in the calendar year 2017-18. The results were encouraging: overall, 99.3% of English monograph publishers had deposited with LAC between April 2016 and March 2018. We also looked at some mid-sized monograph publishers in a “deep dive”, comparing their lists to our collection, and discovered an average deposit rate of nearly 90% for the group, with a range from 62% to 100%. In doing this deep dive, we also inadvertently validated the approach by portfolio. Four of five French language publishers examined had deposited 100% of their publications with LAC, which we attributed in part to having a very strong and attentive librarian who dealt with this segment for many years, and liaised regularly with her colleagues at Bibliothèque et archives nationales du Québec, which receives Quebec publications on legal deposit.

Besides through portfolio librarians, and services offered via the web, in person visits to individual publishers and publisher associations supplemented our intelligence-gathering approach, allowed us to test some feedback from our stakeholder groups (e.g., on access models for electronic publications), and helped us to identify the biggest service issues. Given Canada’s size (9.9M square kilometres from sea to sea to sea), in-person visits are done either during

conferences, or in a “blitz” in a particular region. Librarians assemble the information related to participation in the program, select small, medium and large publishers as well as identify regional associations that represent publishers, and the Manager of Legal Deposit visits in person. Clients shared their perceptions of LAC, gave us suggestions to improve the Legal Deposit Program, and made observations about the Canadian publishing and music landscape. The visits prove to be a goldmine of information related to LD services and service irritants, which seem to surface more readily in person than they do through our online services.

All clients expressed support of LAC, its mandate and goals etc. and all were impressed LAC was engaging with them and seeking input regarding services and collection development. They repeatedly mentioned partnerships with companies or organizations (e.g., with FACTOR, a private non-profit organization dedicated to providing assistance toward the growth and development of the Canadian music industry) as a way to simplify deposit. Visits to publisher associations found key allies who are willing to cross-promote legal deposit and to partner with us to support Canadian writing and music.

The feedback was frank and direct. We have learned that publishers often use claim letters as a kind of order form: “You are off the radar until that letter arrives”. The way we communicate on our website and in our claim letters can be improved: “Nobody reads” (exhorting us to use a video on the website), “Legal is a turn-off, man”, and “I felt audited”. And they would like incentives to deposit beyond “the grandchildren” (referring to the fact that we talk about legal deposit leaving a legacy).

Armed with this feedback, we made minor but significant improvements to our website services which allow us to more quickly and efficiently answer questions. We have started to think more broadly about LAC services and how authors and publishers might benefit more from them, and we are modifying our language to speak of “participation” in Legal Deposit, rather than “compliance”. This represents a cultural shift, and a shift in the way that people work. Legal Deposit librarians have typically been fairly internally focussed, processing book trucks and prioritizing material for cataloguing; with the new portfolio approach and emphasis on business relationships, they are acquiring new competencies and learning new ways to measure the results of their work. People are rising to the challenge!

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References

About the Collection. (n.d.). Retrieved from <http://www.bac-lac.gc.ca/eng/about-us/about-collection/Pages/about.aspx>.

Acquisitions Advisory Committee. (n.d.). Retrieved from <http://www.bac-lac.gc.ca/eng/about-us/Pages/acquisitions-advisory-committee.aspx>.

Collection Development Policy. (n.d.). Retrieved from <http://www.bl.uk/aboutus/stratpolprog/coldevpol/>.

Library and Archives Canada Act (2004). Retrieved from <http://laws-lois.justice.gc.ca/eng/acts/L-7.7/>.

Open Dialogue. (n.d.). Retrieved from <https://open.canada.ca/en/open-dialogue>.

Open Government. (n.d.). Retrieved from <https://open.canada.ca/en>.

Services Consultation Committee. (n.d.). Retrieved from <http://www.bac-lac.gc.ca/eng/about-us/Pages/services-consultation-group.aspx>.

Stakeholders Forum. (n.d.). Retrieved from <http://www.bac-lac.gc.ca/eng/about-us/Pages/stakeholders-forum.aspx>.