A new mandate for the digital age: implementing electronic legal deposit at the National Library of Australia

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Abstract

In February 2016 the legal deposit provisions in Australia's Copyright Act were expanded to include digital publications and the public .au web domain. The result of twenty years of advocacy, the new provisions marked a dramatic shift in how Australia collects, preserves and makes accessible the full online publishing landscape.

Legal deposit has been the core of the National Library's collections and services since it was introduced in Australia in 1912. It remains the most important mechanism by which national and state libraries can preserve the published record of their countries or states. But since the emergence of electronic publishing in the 1980s and online publishing in the 1990s, the Australian legal deposit scheme has been only performing half its role.

This paper will describe the transformational innovation employed at the National Library to apply this legislative intent in a digital world. It will highlight our collaboration with major Australian book and serial publishers as well as the small and independent publishing sectors to build the innovative self-serve edeposit service for books, serials, music scores and maps and develop bulk deposit for the ingest of large publishing outputs and metadata sets.

It will outline the redevelopment of our digital library infrastructure from digital object storage through digital collection management and preservation systems, the automation of publisher data and access agreements into the catalogue and delivery of digital publications in the reading rooms and Trove.

We will examine how large-scale technological redevelopment has synthesised with stakeholder consultation, digital upskilling of staff and multi-modal communication to create a contemporary streamlined deposit platform, a publisher-driven model of collecting and an overhaul of how the traditional library service is perceived by the publishing sector and Australian public.

Introduction

Fundamental to the National Library of Australia's role is the Library's mandate to collect, preserve and make available Australia's distinctive and diverse documentary heritage. This mandate was established under section 6 of the *National Library Act 1960,* which states that the functions of the Library are:

(a) to maintain and develop a national collection of library material, including a comprehensive collection of library material relating to Australia and the Australian people;

(b) to make library material in the national collection available to such persons and institutions , and in such manner and subject to such conditions, as the Council determines with a view to the most advantageous use of that collection in the national interest;[i]

The Commonwealth legal deposit scheme, which predates the formal establishment of the National Library by almost fifty years, is the chief mechanism by which the Library can build its Australian collections. On average, the Library acquires approximately 16,000 Australian publications on legal deposit per annum.[ii]

On 17 February 2016 the legal deposit provisions of the Commonwealth *Copyright Act* were extended to include electronic publications for the first time. The result of twenty years of advocacy, the new provisions mark a dramatic shift in how the Library collects, preserves and makes accessible Australia's electronic publishing. This paper outlines the implementation of electronic deposit for non-web material at the National Library. It demonstrates how a strong legislative basis combined with large-scale technological redevelopment and digital upskilling of staff has transformed workflows, empowered staff and enabled an improved approach to stakeholder relations at the Library.

Legal deposit and the case for change

Within Australia, legal deposit was first established as a statutory principle shortly after Federation in the *Copyright Act 1912.* This followed earlier state-based legal deposit schemes, which remain in place today. Under the 1912 federal provisions, Australian publishers were required to provide the best copy of each book published within one month of publication to the Librarian of the Commonwealth Parliament. While the 1912 Act was eventually superseded by the *Copyright Act 1968* and Parliamentary Library replaced with the National Library, the legal deposit provisions remained substantially unchanged for over a century.

For most of this period, the federal and state legal deposit schemes served the country well in ensuring that Australia's publications were collected, preserved and made accessible for current and future generations of Australians. However, with the advent of electronic format publishing in the 1980s and online publishing in the 1990s, an increasing proportion of Australia's publishing record was not subject to legal deposit.[iii]

Recognising this deficiency, the National Library set up a voluntary deposit scheme for electronic format publishing in 1995. A year later it was a world-leader in establishing a web archive, Pandora, which relied on publisher agreement before content could be archived. This enabled the Library to selectively archive several thousand Australian web-sites, capturing many early examples of web publishing. While Pandora was remarkably effective in preserving content that would otherwise have been lost, other schemes to collect non-web material had more limited success. All were very labour-intensive to manage and often resulted in patchy holdings. Indeed, ebooks offered to the Library prior to 2012 were regularly returned to the sender as the Library had no mechanism to preserve or provide access to their content.[iv]

The lack of legal deposit legislation for electronic material was of increasing concern to the National Library. Jan Fullerton, Director General of the National Library from 1999 to 2010, stated in 1998 that:

> "It is important that the principle of legal deposit be recognised as applying equally to digital materials both to ensure their long-term preservation and to serve the public interest in allowing fair access to and use of this material."[v]

In the decades following, the Library continued to make the case for a change to the legislation in a number of forums and government inquiries. In its submission to the 2007 government review on the extension of legal deposit, the Library advised that the need for a 'negotiation-based approach' to collect electronic material was severely hampering the Library's ability to meet its legislative mandate and build 'an adequate national collection'. The submission pointed to the increasing range and scope of electronic content being made publicly available. The changing nature and fragility of this content meant that there was "a very real danger of the record of published Australian creative expression and information entering a digital Dark Age if it is not gathered into a national collection and kept accessible to the public."[vi]

Many of the parliamentary and government inquiries during this period, to which the Library made formal submissions, also concluded that an amendment to the legislation was required, including the Copyright Law Review Committee (1999), the Joint Committee on Publications (2006) and many submissions to the 2007 government review. In its 1999 report, the CLRC recognised 'the legal deposit provisions as important for the preservation of materials that are part of the nation's cultural heritage. It is also quite apparent that, as presently worded, [the legal deposit scheme] is only of limited value in achieving this purpose.' The need to protect the commercial interests of publishers and the complexity around how an extended legal deposit scheme might operate, however, lengthened the consultative process.

Following a further consultation paper in 2012, legislation was drafted and passed by Parliament in June 2015 and came into effect eight months later in February 2016.

Transformative legislation

Without a legislative mandate, the National Library had struggled to make significant inroads into collecting non-web electronic material in the preceding two decades. However, the way the legislation was formulated was critical to the Library's ability to implement and administer the new scheme. De Beer et al. describe 'a legal and regulatory framework for legal deposit' as 'like a double-edged sword: on the one hand it enables the legal depositories to enforce compliance with legislation by the publishers. On the other hand it also puts especially national libraries under pressure to comply with the legislation to collect, preserve and make available' the material often without the funding, infrastructure and capacity to implement it.[vii]

While Australia lagged behind many other countries in the provision of a legislative mandate to collect electronic publications, the experience gained by the Library in the preceding years, was not wasted. Not only had it resulted in a representative picture of an electronic world now almost completely vanished, this experience developed the Library's understanding of the concerns of publishers and the underlying requirements for an effective and workable electronic deposit scheme.

On both fronts, the Library has been well-served by the legislation eventually formulated and passed by the Commonwealth Parliament, which, unlike schemes in other jurisdictions, is not reliant on the issue of further regulations.[viii]

The new provisions in the *Copyright Act 1968* (ss. 195CA-195CJ) cover all Australian publications that are literary, dramatic, musical or artistic works. This includes print and electronic books, journals, magazines, newsletters, reports, sheet music, maps, websites and public social media. They apply to

any Australian person, group or organisation that makes their online[1] or offline publications[2] available to the public either for sale or for free. Material that is primarily audio-visual is excluded from the provisions.[ix]

The key features of the legislation are:

- The legislation is format and technology neutral, i.e. it does not specify particular formats. The legislation also provides for the National Library Minister to proscribe new electronic forms to be considered online, allowing for future developments in publishing and technology;

- There are separate deposit requirements for offline and online electronic publications – offline publications are required to be deposited within a month of publication; online publications only need to be deposited on receipt of a request by the Library;

- Requests for online material can be automated, allowing the Library to issue requests via a web harvester;

- Where publications are published in more than one format, publishers are only required to lodge one of these;

- Electronic material deposited with the National Library must be free from technological protection measures and accompanied by any software required; while offline works must be of an appropriate quality to be handled (that is a 'best copy');

- There is no longer any requirement for the Library to provide a written receipt for material deposited.

The legislation has been framed to reduce the compliance burden on both publishers and the Library. For print and other offline material, the legislation preserves much of the features of the old

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[1] Online publications include ebooks, websites and electronic journals and other material made available online.
[2] Offline publications (described in the legislation as 'not-online) include hardcopy print material and electronic material published on a disk, USB flash-drive or other media.

scheme. However, the request-driven nature of the scheme for online electronic material ensures that the large volume of online material that is not required for the National Library's collection does not need to be supplied. Given the potential for uncertainty resulting from the large scale and dynamic nature of online publishing, it also ensures clarity for publishers about what content they need to deliver.

A particularly innovative feature of the legislation, reflecting an understanding of the digital age, is that it enables the Library to request electronic material without any restriction based on place of publication or distribution. While the provisions for offline material specify that it must be published in Australia, there is not the same specification for online material. Although the Act is only enforceable on those subject to Australian law, this provision enables the Library to request self-published works by Australians, even where the authors are using online services based overseas.

Innovative system

The Library commenced development of its edeposit service, which is the public interface of an end-to-end digital collection management system, early in 2015. The service was developed as part of the Library's broader Digital Library Infrastructure Replacement (DLIR) program, which began in 2012 and is expected to be completed in June 2017. The over-arching goal of the DLIR program is to ensure that material of national significance relating to Australia and the Australian people is collected, preserved and accessible in digital form.

The new service (www.nla.gov.au/edeposit) was released on 17 February 2016 – the same date the new legal deposit legislation came into effect. It was developed with four clear objectives:

- To provide Australian publishers with a simple, secure and effective way of depositing their online publications (books, serials, maps and music scores) in compliance with the new legal deposit provisions;

- To build relationships with publishers and maintain their trust in the National Library as the custodian of the national collection in both print and digital formats;

- To build a workflow and secure collection management system to provide end-to-end lifecycle management for Australian digital publications. Through this, to extract maximum operational efficiencies from the edeposit platform, repurposing publisher supplied metadata, and automating previously manual processes; and

- To provide faster and better public access to the record of Australian publications in digital formats.

A team of in-house business analysts, developers and Library collections management staff collaborated closely to develop the service in-house using Prince 2 project management methodology and utilising Agile for work packages. It was developed using open source software such as Drupal and Java, and is fully integrated with existing NLA systems, such as the Library's integrated management system (Voyager) and RefTracker, and new off the shelf products, such as Preservica, a proprietary digital preservation management system.

While the multi-system infrastructure has increased the training load for staff, this is partly offset by the repurposing of systems already in use and familiar to staff, such as RefTracker. This approach has also helped to contain development costs and resulted in a more flexible system design.

How it works

There are two streams through which publishers can submit their online publications for deposit:

i. Single deposit for small-scale deposit of publications (monographs, serial issues, maps and music scores plus cover images) via the web based edeposit service; and

ii. Batch deposit for the bulk transfer of a large volume of publications in a single transaction.

The process for single deposits of books, music scores and maps is very simple. Publishers deposit their publications via the Drupal web application, which records their contact details, basic metadata about the publication, including title, creator and year of publication, and the publisher's access agreement. The access agreement allows the publisher three choices:

- No agreement, basic access as permitted under the Copyright Act; or

- Freely available with an embargo period (6 months for serials, 12 months for books); or

- Freely available.

As mentioned above, the legislation requires publications to be deposited free of technological protection measures (TPM). When the publisher submits their publication files, the system performs a number of automated quality assurance checks. These are:

- Virus check;

- TPM check; and

- Creation of a checksum.

Once these checks are performed and the publisher completes the web application, the files and metadata are transferred seamlessly to the Library's digital management system where they can be viewed by staff. Behind the scenes, a weekly process then transfers the publisher metadata into a MARC record, creating the base record on Voyager incorporating Resource Description and Access (RDA) standard templating, at which point the publication is available to the public via the catalogue and Trove digital library.

To speed up the process from their end, publishers can set up an edeposit account listing their contact details and default access agreement. This enables them to keep track of all previous deposits via the service.

Certain categories of publications, such as those published overseas, are automatically sent for manual review by staff before being ingested into the digital management system. This allows a level of control over the material accepted into the collection.

The process for deposit of individual serial titles requires additional steps. The publisher must set up an account with the edeposit service and then register their publication through the web application, providing details such as frequency and previous printing history, and upload a sample issue. Data is then submitted to RefTracker, which is used to manage selection decisions and communications with publishers. If a title is selected, it is set up in the edeposit service and publishers are advised that they can now upload future issues. Once the set-up work is completed, however, the process of uploading new issues is very straightforward, requiring minimal new metadata and these issues are immediately available to the public without any further intervention by staff.

The batch deposit process was released in late September 2016, enabling major publishing houses to transfer multiple files and metadata directly or via a third party distributor, CoreSource. Another automated batch ingest process was developed to allow Australian journal content from the publisher Wiley and associated metadata to be collected at the article level for the first time.

Long-term preservation of content is critical to successful implementation of the Library's legislative mandate. Data and files, whether deposited through the edeposit service or a batch process, are transferred to a dedicated digital preservation management environment to ensure ongoing preservation. There is currently a three month lag between the date of submission and transfer to the digital preservation system to allow time for cataloguing work to be completed and to give publishers enough time to re-submit their content if any problems are found during cataloguing.

The process of ingesting content into the digital preservation system, which occurs in weekly batches, is fully automated: it identifies content which is ready for ingest, creates Submission

Information Packages and ingests them into the preservation system. The original checksum created upon submission of the content by publisher is included in the Submission Information Package as it is used to verify the integrity of the content during ingest.

The processing steps applied during ingest include:

- Virus check;

- Metadata and content integrity checks;

- Fixity (integrity) check;

- SIP validation;

- Characterisation including file format identification and technical metadata extraction; and

- Creation of search indexes and thumbnails.

Digital Preservation staff perform regular pre- and post-ingest audits to ensure the quality and completeness of ingested content and metadata.

Transforming workflows

Acquisition and cataloguing of legal deposit material is spread across a number of teams within the Library's Australian Collections Management Branch. Six teams are directly involved in processing legal deposit material and another team contributes to cataloguing work. All teams are multi-functional and several are responsible for acquisition of other material as well, for example donations and purchased material.

The new legislation combined with the development of the edeposit service and the Library's digital management systems is transforming workflows across these teams. System and workflow design have been intrinsically linked right from the outset. For this reason, development of new workflows has also needed to follow an agile and flexible approach, often with input from business analysts and decisions made 'on the fly'. An internal working group, involving all team leaders, was established

early to consider workflows, which has helped to ensure a consistent approach across the teams involved in legal deposit work. Three broad principles have governed workflow decisions:

- Maximise efficiency and automation of processes wherever possible;

- Reuse of publisher data; and

- Need to maintain authority work and data quality as needed.

By implementing the first two principles, resources are freed up to focus on value-adding tasks, such as authority work. This is critical, considering that the receipt of print publications under legal deposit has not diminished in the months since the new legislation came into effect. While the processing of print material is conducted side by side with the processing of edeposit material by the same staff and in the same teams, the workflows are very different.

Due to the nature of online material, some activities are eliminated altogether. Physical delivery of material between the Library's loading dock, legal deposit mailroom and stacks is no longer part of the workflow for this material. For print publications, it can take several hours to unpack the weekly mail trolley. Each week on average the Library receives 220 books and 850 new serial issues of journals, magazines and newsletters. As we transfer more print titles to the edeposit service, there will be even fewer manual activities, enabling staff to focus on other tasks. These changes have the indirect benefits of reducing manual handling injuries and the need for physical storage of material. End-processing activities are also eliminated for electronic material. There is no need to physically accession items, assign shelf numbers, or label material. The National Library operates as a closed stacks library, so over time stacks retrieval work by Library staff will also reduce.

The virtual mailroom has replaced the physical mailroom. Just as there are separate processing shelves for different categories of print material, the virtual mailroom is also distributed across the six teams undertaking edeposit work. Instead of the delivery and sorting of physical material onto processing shelves, automatic email notifications of new edeposit submissions are sent to generic

team inboxes, to which all team members have access. Individual staff select a submission to work on and complete the end to end processing of the epublication selected.

Self-allocation of work was seen as important – it replicates the existing workflow for print, where staff select material from the processing shelves, and also provides staff with a sense of autonomy and control over their work.

The most significant efficiencies in workflows and processes result from the re-use of publisher-supplied metadata for deposits of ebooks, escores and emaps. Instead of creating cataloguing records from scratch[x], metadata input by publishers at point of deposit is captured and transferred to a basic catalogue record in the Library's management system, Voyager. Holdings data and URL fields are also automatically created during the transfer of data between the two systems. Even for single deposits, this has created efficiencies by reducing keying by staff and the risk of typing errors. This allows staff to focus on the more intellectual parts of cataloguing, such as subject analysis. Having the electronic content available during the cataloguing process has additional benefits as one staff member noted in describing the new workflow for a National and State Libraries Australasia (NSLA) presentation:

> "Now the big big change! The book is no longer on my desk or in my trolley! It is on my screen… It is great that we can do things like keyword searching for subject heading ideas. We can zoom into the tiny text on publication details pages. We can copy and paste! - so less mistakes. So there is no trolley work, no unpacking boxes, no pain of lifting and carrying heavy items. It is amazing to see the data that the publisher put into the edeposit form in the catalogue record… Because we don't have to waste time on the basics we spend more time improving the quality of the record… We use all the normal cataloguing tools, search Libraries Australia, publishers' home pages and google to verify information as we normally

do with print material… There is no need of end-processing at all. No labels, no barcodes, no

security tags, no writing on pages."

There is even greater potential for efficiency with the Library's batch deposit process. As noted above, this process enables major publishing houses to transfer multiple files and metadata directly or via a third party distributor, CoreSource. CoreSource is a global distribution service owned by Ingram, which most Australian publishers use to distribute their ebook files and metadata to online bookstores. Publishers use the ONIX xml format to describe their publications. This metadata has been mapped into the digital collection management system and then into MARC fields to automatically create catalogue records. The catalogue records include publisher subject headings in the BIC and BISAC schema, as well as distribution data and useful summaries. This process will enable the Library to eventually provide a sufficient level of access for certain categories of material, e.g. romantic fiction, without any manual enhancement of records by staff.

For one category of material, serial issues, this is already true. As described earlier, the initial serial workflow includes an extra step in the process, which enables staff to select a serial title for future supply based on the Library's *Collection Development Policy.* This workflow and a broader selection policy is empowering staff to rely more on their own judgment in making selection decisions than is the case for print titles, speeding up the selection process. Once a new title has been selected and set up in the system, this is the last time staff need to deal with the publication unless it changes title, frequency or organisation. In the print world, unpacking and check-in of serial issues on the library management system was one of the most labour-intensive parts of library work. The new edeposit service allows the automatic ingest and display of serial issues without any human intervention, ensuring that new issues are instantly available to the public. In contrast, the delay in the availability of print material can be anything from two to four weeks from receipt by the Library, depending on backlogs and available staffing resources.

Creation of acquisition records on the Library's management system is also unnecessary as the date of acquisition and depositor's details are captured at point of deposit. At the point of writing, generic purchase orders are being created as part of the automated script transferring data between the digital management system and Voyager, mainly for statistical reporting processes. However, this process is currently under review as statistics can be obtained directly from the digital management system.

Other tasks specific to digital material are also reduced or eliminated by the automation of activities, which were previously completed manually. This is evident when comparing the new workflows with workflows for voluntary deposit. In particular, the fact that the access agreement is captured at the point of deposit via the edeposit service eliminates the need for staff having to negotiate and follow-up the return of access agreements. A 2014 internal report on an ebook pilot project revealed that nearly one-third of ebooks donated earlier had to be deleted largely due to a lack of response from publishers.[xi] Additional activities, such as the need for staff to undertake a quality assurance on the agreement and record the rights on the Library's internal rights management system, are also no longer necessary.

These workflow changes have not come without some challenges. For example, the reduction in offline activities presents a challenge in designing workflows that retain efficiency without increasing the risk of workplace health and safety injuries caused by more screen-based work.

The need to find efficiencies to balance the increased workload from collecting Australia's electronic publishing output was evident to the Library during the years of lobbying for legislative change. Well-aware of the significant costs associated with undertaking this expanded role and the unlikelihood of receiving additional government funding to do so, Pam Gatenby, the former Assistant Director-General, Collections Management, stated in 2002 that amongst other things the Library would continue to need "to find more cost-efficient ways of operating."[xii] This remains even

truer in today's climate of reduced government funding and staffing resources. Identifying these efficiencies, however, will rely not only on system development and improved workflows, but on finding new collaborative and creative ways of working and the upskilling and empowerment of Library staff.

Transforming organisational capability

The Australian Public Service Commission's *State of the Service Report 2014—2015* identifies digital transformation and innovation as areas of focus in improving organisational capability and performance across the Australian Public Service (APS).[xiii] It goes on to state that the APS requires people who focus on service to the community, have creative new ideas and the discipline to execute them.[xiv] This move towards digital service delivery requires a shift in the APS workforce capability mix and will increasingly change the type of work performed. Some current work will be automated, roles will be redesigned and new roles will be created.[xv]

However, 35% of APS employees reported that they had not received or undertaken any formal digital skills training in the workplace.[xvi] Specifically, over 50% of agencies reported that while their agency recognised the need for innovation to feature in strategic planning, this had not occurred or was only covered in part of the agency.[xvii]

The National Library has a strong tradition in innovation and valuing the recruitment and training of digitally confident professionals, particularly in its Digital Preservation, Web Archiving, Sound Preservation and Trove teams, as well as Information Technology staff experienced in digitisation workflows and collection systems.

Within Australian Collections Management, digital collecting remained a small component of overall work and an add-on to print collecting when resources allowed. Prior to the new legislation, a decision was made to integrate print and digital workflows within the same teams and to take a format-neutral approach to collection decisions. This approach, which was unusual in the broader

library context, was not without challenges, particularly given that up to 50 staff would be involved in edeposit work. Not surprisingly, there were some doubts as to how easily the Library's cohort would transition to working with fully digital material.

To address these challenges, practical, introductory-level digital collecting information and training was pitched for Australian Collections Management staff at all levels for the first time. The key objectives were to:

- Increase familiarity with digital collecting terminology;

- Communicate different current and future projects, procedures and workflows to staff in a coherent and consolidated form;

- Identify own role in big picture of collecting digital published material;

- Imbue confidence to identify, brainstorm and collaborate to problem solve issues with collecting digital publications;

- Assess benefits and risks associated with digital collecting;

- Inspire enthusiasm and dispel anxiety towards changes to work practices.

The training program, which covered the lead-up and post-implementation phases, included a diverse range of approaches. Sessions included:

- One-hour introductory session to provide a conceptual overview of what collecting digital publications might look like at the National Library;

- *Collecting ebooks* training course made up of six one-hour sessions tailored to the key areas of interest and concern for staff: formats, digital rights, acquisitions issues, software, cataloguing issues and digital preservation. Group problem-solving activities were particularly effective; and

- Post-implementation sessions on particular topics, such as end-to-end workflows and publisher communications training.

Collaborative and interactive training sessions consistently received very positive feedback from staff. Publisher communications training with popular 'legal deposit speed dating' exercises allowed staff to develop confidence communicating the requirements of the new legislation with real world case studies. Ownership of the development process was shared with staff and their flexibility was fostered during end-to-end workflow training in rapidly changing development environments. A fortnightly edeposit forum was also established as a collaborative space for staff to share publisher issues and concerns, compare notes on system bugs, ask questions and communicate workflow innovations that they have made in their individual teams. These forums have proved so successful that they will be retained as a regular session for staff into the future.

A number of workshops with key stakeholders from across the Library were also held. These workshops effectively used interactive activities and group work to open up a dialogue between different teams to broaden perspective, think from the outside-in and normalise anxieties. Workshop activities included a number of brainstorming and small group exercises, such as:

- Round robin exercise on what excited staff about the changes to legal deposit and what concerned them;
- Reverse brainstorming exercise on 'How we would stop publishers depositing if we wanted to' and then what was needed to ensure that we did the opposite;
- Small group exercise based on specific publisher scenarios – where each group of staff adopted the perspective of a particular publisher to identify issues that might confront those publishers.

Workshop participants expressed genuine excitement about the expansion of the Library's collecting program to digital material and their hope that this would lead to a more flexible, proactive and curatorial approach to collecting. As one participant commented:

> "I am excited for the greater opportunity we have to complete collections. I am hoping that it will enable us to curate our collections more effectively and have more flexibility in our decision making."

Concerns commonly related to issues surrounding workflows, such as procedures for requesting digital material, and communications with publishers.

The project work was effectively situated in the broader Library context through the introduction of Digital Collecting Information Sessions for all NLA staff. Delivering project updates alongside other areas of the Library working in the digital space revealed the momentum of institution-wide change.

The opportunity for collection staff to work on a major IT project also brought a number of benefits, including improving staff's technical understanding of the system, as well as proving an excellent development opportunity for staff. The collection areas were closely involved with specifying requirements, discussing options, advocating for the collections, conducting user acceptance testing, being involved in the creative process and meeting deadlines. This produced the added benefit of building confidence, collaborative thinking and bonding across areas, as well as the feeling of reward that comes from tackling and resolving challenges as a group. As the project progressed, four collection area staff were seconded to work as full-time business analysts within IT developer teams for separate parts of the system development.

As the OCLC Competency Index makes plain, innovation is inherently a learning process and continuous learning has always been at the centre of library culture.[xviii] By disrupting the perception that digital publishing is a clean historic break from print publishing, but rather one continuous story of technical innovation, inspiring an enthusiasm for ongoing learning, creating a workplace that

permits not knowing the answers and celebrating the successes of staff at all levels, the core work of these teams has been digitally transformed.

Transforming stakeholder liaison

Successful implementation of edeposit was heavily reliant on strong engagement with the Australian publishing community and other stakeholders. Indeed, the development of the edeposit and batch deposit services owed much to the rich feedback received from publishers and representatives of Australian publishing. Plain English key messages, visual branding and communications training for staff were the building blocks for the roll out of clean, consistent communications with all stakeholders.

Engagement with the Australian publishing community included a mix of formal and informal approaches, including:

- Two live webinars conducted under the auspices of the Australian Publishers Association;
- Staff presentations and informal networking at a number of publisher conferences, including the Australian Booksellers Association Conference and the Independent Publishers Conference run by the Small Press Network;
- News items on the changes to legislation for use on publisher association websites and in newsletters; and a
- Formal consultation process on the Library's draft guidelines for publishers, *Deposit of electronic publications,* with the opportunity to provide comments and feedback.

Information about the changes was also provided to the library sector via email and updates to NSLA colleagues and staff presentations and attendance at a series of conferences, including the International Association of Music Libraries Conference, Australian and New Zealand Maps Society

Conference, Australian Libraries and Information Association URLs Group, Australian and New Zealand Theological Library Association Conference.

A key component of the Library's communications strategy was the development of a legal deposit fact sheet, which was a simple, direct piece of correspondence with publishing associations, libraries and library associations and their members. The fact sheet outlined the value of the changes to the legislation with a simple decision tree and an indication of timeframes for delivery of the new service. This was distributed to all relevant stakeholders as soon as the legislation received royal assent, but was also a useful document to attach to emails during normal correspondence with individual publishers to remind them of the new legal deposit provisions.

Web content was also a key mechanism for communicating with publishers and members of the public. Much of the Library's pre-existing legal deposit content online and publisher correspondence was overly formal and complex. The new web content, which was released just prior to implementation of edeposit, prioritised value for the Australian community and future generations and was based on web content best practice: using plain English, keeping it clear and concise, front-loading calls to action, utilising keywords and sub-headings.

The project team also created a suite of branded visual material and key messages to repurpose across our multi-modal external communications, media and correspondence, as well as internally and with our associates. The imagery needed to give a quick impression and work over a number of different sizes and formats, including posters and presentations, web-page banners, as well as signature blocks in emails and in social media feeds on mobile phone screens. The images created were also designed to express something of the warmth, joy of discovery, and even wonder that books and libraries can inspire in people and apply these to the new digital chapter of the Library's core mandate.

The Library is indebted to the publisher champions for the edeposit service uncovered during the project. Penguin Random House in particular were incredibly helpful, providing advice and test data. There was also strong support from a diverse group of independent book and serial publishers, including the publisher of Tincture Journal, an electronic-only publication that we had previously been unable to collect. The idea of creating a batch deposit process using CoreSource came out of conversations with larger independent publishers at the Independent Publishers Conference. Three months after the release, staff conducted a survey with all publishers who had used the edeposit service up to that time. The survey responses provided very valuable insights into technical issues being experienced, finessing of terminology and fields, and an overall enthusiasm for the quick and easy experience and the opportunity to deposit without postage costs.

The Library's traditional and social media efforts reached their pinnacle on 17 February, the day the new legislation came into effect. At 9am the first ebook, Thomas Keneally's *Napoleon's Last Island,* was deposited "live" by staff at Penguin Random House watched by a number of Library staff. Photographs and a short video capturing the moment provided great social media content and Thomas Keneally conducted a number of radio interviews about the honour of being the first author collected under the new legislation. Social media was a wonderful way to share the moment with our publishers and library stakeholders. Involving staff in this celebratory moment was also a highly effective means to celebrate their personal development goals and reinforce pride in the system they built.

Conclusion

Successful implementation of electronic legal deposit at the National Library of Australia has relied on many factors, including a strong legislative mandate and the innovative development of a contemporary streamlined deposit platform and 21st century digital collection management infrastructure. However, equally critical in implementing such a fundamental change to the Library's

collecting of legal deposit publications has been the transformational engagement with staff and stakeholders, including the Australian publishing sector.

Ultimately, however, this has always been about ensuring the preservation and access of Australian material in all formats for Australians, both now and in the future. Already, the Library has brought in 2500 non-web online publications, and another 3,000 or more backlisted titles, since the new provisions came into effect in February 2016. While commercial publications will only be available onsite, a significant proportion of other publications will be freely available with the publisher's permission. These publications are expected to be available in early 2017, transforming access to contemporary Australian published content for all Australians.

References

[i] *National Library Act 1960*, s. 6

[ii] The average figure for legal deposit acquisitions over the last five years between 2011/2012 and 2015/16 is 16,275 per annum.

[iii] Legal deposit schemes at the state level also did not explicitly include electronic publications during this period. However, Tasmania's 1984 legislation is so broad that it includes publications in any form The first state or territory to explicitly include electronic material in its legal deposit legislation was the Northern Territory in 2005.

[iv] Heather Walsh (2013) *Ebook pilot report: draft, 24 September 2013* [internal staff paper]

[v] Jan Fullerton (1998), "Developing national collections of electronic publications: issues to be considered and recommendations for future collaborative actions", presented to the workshop "Legal Deposit of Electronic Material", 20 August 1998, http://pandora.nla.gov.au/pan/21336/20100618-0214/www.nla.gov.au/openpublish/index.php/nlasp/article/view/1067/1336.html

[vi] National Library of Australia (2008) *Submission to the Attorney General's Department and the Department of Broadband, Communications and the Digital Economy on 2007 Discussion Paper on the Extension of Legal Deposit from the National Library of Australia, 17 January 2008*.

[vii] Marietjie De Beer, Marieta Van der Merwe, Liezl Ball, Ina Fourie (2016), "Legal deposit of electronic books – a review of challenges faced by national libraries", *Library Hi Tech,* Vol. 34, Iss 1, 91.

[viii] For example, the UK had a ten year gap between the original legislation and the formulation of regulations covering certain categories of electronic publishing. Western Australia's *Legal Deposit Act* came into effect in 2012 and regulations covering offline publications were promulgated in 2013. Regulations covering online publications are yet to be formulated.

[ix] For a complete list of exclusions, see: National Library of Australia (2016) *Deposit of electronic publications: guide to requirements for publishers,* section 3.1, 4. https://www.nla.gov.au/sites/default/files/deposit-of-electronic-publications.pdf

[x] In 2015/16, original cataloguing comprised 72 percent of Australian cataloguing of published material.

[xi] Heather Walsh (2014) *100 ebooks pilot project: progress report*, *30 April 2014* [internal staff paper].

[xii] Pam Gatenby (2002) "Legal deposit, electronic publications and digital archiving: the National Library of Australia's experience", http://pandora.nla.gov.au/pan/21336/20120629-0218/www.nla.gov.au/openpublish/index.php/nlasp/article/viewArticle/1272/1560.html

[xiii] Australian Public Service Commission (2015), *State of the Service Report 2014-15,* 35 http://www.apsc.gov.au/__data/assets/pdf_file/0010/72379/sosr-2014-15-web.pdf

[xiv] Australian Public Service Commission (2015), *Unlocking potential: if not us, who? If not now, when?: Australian Public Service Workforce Management Contestability Review*, 12 http://www.apsc.gov.au/__data/assets/pdf_file/0008/80000/Unlocking-potential-APS-workforce-management-review-Design_WEB.pdf

[xv] Australian Public Service Commission (2015), *Unlocking potential*, 15

[xvi] Australian Public Service Commission (2015), *State of the Service Report 2014-15,* 37

[xvii] Australian Public Service Commission (2015), *State of the Service Report 2014-15*, 39

[xviii] *OCLC competency index for libraries*, December 2014