

# CENL WORKING GROUP REVIEW

## 1. Executive Summary

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The CENL Board of Directors agreed at the 2018 CENL Annual General Meeting in Reykjavik, Iceland, that the adoption of the CENL Strategy 2018-2022 warranted a review of all current CENL working groups. A review has not been undertaken for many years and members agreed that it is best practice to regularly check alignment of CENL's sub-groups with the strategic direction of the organisation. This review would also test whether a different or an additional set of working groups was required to aid CENL in fully delivering its strategy.

During November and December 2018, the CENL Secretariat undertook desk research to understand the full history of the CENL Working Groups. It also collected feedback from current and past working group members, with the CENL Chair, Roly Keating, holding a series of short interviews. An intermediate report, including a first draft of a retrospective as well as a summary of feedback received from the working group members, was discussed at the CENL Executive Committee meeting in January 2019.

The Executive Committee discussed the fact that the three current working groups (CENL-FEP, Copyright and Information Management Law, and – somewhat different in structure – ISNI) were formed out of a concrete need for collaboration, advocacy and lobbying at different times in CENL's 31-year history. Legal deposit legislation for electronic resources required a closer cooperation with publishers, to arm libraries to send strong messages to their own governments and to lobby for particular solutions. Plans for EU-legislation on copyright was another area of importance for a number of CENL members, and they sought to jointly advocate for the desirable outcomes.

The CENL Secretariat formulated a number of options for the CENL Executive Committee meeting on 24 April 2019. At this meeting the Executive Committee decided that it will trigger a fresh start to its subgroups by replacing the current working group format with a new concept of 'CENL network groups'. These will be in alignment with the new CENL strategy, and will be strongly focused on knowledge exchange, network-building and professional support, rather than on specific advocacy or policy development.

The new CENL network groups will work to common terms of reference, with a 3-year term for Chair and members. CENL members will be invited to propose topics for network groups, with a standard application process and encouragement to align with CENL strategic priorities. Network groups will be approved by the Executive Committee and will receive a standing bursary to help with travel costs. All groups will have a Chair, a Treasurer and a Secretary. They will be expected to produce a short written report to the AGM and have the opportunity to propose AGM sessions based on their topic. Group membership is encouraged to be from second-tier leaders and experts within national libraries to encourage staff development and growth.

Should targeted lobbying or advocacy work be required at any point, then this would be undertaken through occasional 'task-and-finish' groups, commissioned by the Executive Committee, for matters which require urgent and concentrated focus, with an agreed start and end point.

To provide maximum scope for continuity, the Chairs of the current working groups will have the opportunity, should they wish to do so, to propose a new CENL network group, building on their current topic and theme, but adapted to conform to the new format and guidelines. Under this new model it will not be possible for groups to be jointly governed by two organisations. However, in common with all interviewees, the Executive Committee greatly values the space for dialogue which all working groups have created over the years, and has made it clear that they would be wholly open to proposals for new CENL network groups which could include co-opted members from external organisations, such as the publishing sector represented by FEP, whose presence and contribution can contribute to valuable knowledge exchange and relationship-building.

A message to all CENL working group members was sent on 7 May 2019, outlining these changes to the working group model. Groups are encouraged to meet as planned this year to discuss the imminent changes to the CENL subgroup format and planning for the future. As a next step, the Executive Committee will report on its decision at the CENL AGM meeting in June 2019 in Norway. After this meeting, the CENL Secretariat will commence the process of drafting new terms of reference for the CENL network groups and design an application process which will begin in the autumn of 2019.

## 2. Review Methodology

At its meeting on 12 October 2018 in Vienna, the Executive Committee discussed the proposal to review CENL’s working groups as outlined in Paper 07, and agreed that the CENL Chair and CENL Secretary would undertake a review with the aim to formulate a report for the CENL AGM in 2019. The Executive Committee further agreed that the review would be carried out through a combination of interviews, desk research and a short questionnaire. The Executive Committee felt that the following three questions needed to be asked:

- 1) What have been the most helpful achievements of this working group?
- 2) What works less well in the current set-up?
- 3) In your opinion, should this working group continue in its current form – do you propose any changes?

Participants were also asked if they had further comments.

On 7 November 2018, the CENL Secretariat sent a questionnaire containing these three questions to all member of the CENL Copyright and Information Management Law Working Group and CENL-FEP Working Group. The Secretariat further scheduled a number of phone calls and face-to-face conversations. As the ISNI working group is currently undergoing changes which will affect its governance, ISNI working group members were not included for the purposes of this review. The table below shows the engagement undertaken between November and the end of December 2018. The recently appointed new President of the Federation of European Publishers was contacted but did not respond.

	Conversation	Questionnaire
CENL-FEP	Elisabeth Niggeman (Germany)	Ute Schwens – Germany
	Richard Gibby (British Library)	Lucinda Jones - Netherlands
	Anne Bergman-Tahon (FEP)	
	Lynne Brindley (former British Library Chief Executive)	
	William Bowes (Publishers Association UK)	
	Richard Price (British Library)	
CENL Copyright and Information Management Law	Jan Kovacik (Slovakia)	Mia Benedicte Sund Aasli, Norway
	Ben White (British Library)	Dragana Milunovic – Serbia
	Jerker Ryden (Sweden)	Dorothea Zechmann – Germany
		Maja Bogataj Jančič - Slovenia
		Zdenek Matusik - Czech Republic) via email to Ben White
	Andrea Ruth Schreiber – Switzerland	

### 3. Findings

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#### 3.1 Benefits of current model

The review team noted a number of points raised by interviewees on the benefits of the current working group model, including:

- A beneficial forum for all to share knowledge, understanding and expertise.
- Useful and important arenas for discussions, exchange and for the promotion of common interests.
- “Safe space” for CENL members to meet. In particular CENL-FEP has provided better understanding between publishers and national libraries with regards to legal deposit legislation for digital publications and the web
- Unique groupings of people with symmetries, and peer-to-peer contacts, which is of value for CENL members as these often do not have peers in their respective countries. Furthermore, library directors are not always able to fully understand the intricacies of specialist technical matters and require the help of experts who can advise on complex issues.
- The policy challenges national libraries face are not all the same as those of libraries in general, and CENL members cannot therefore necessarily rely on the lobbying undertaken by other library organisations, like LIBER or IFLA.

#### 3.2 Reasons for change

The interview process also yielded findings on areas for improvement and ways in which the current model is less satisfactory. These included:

- Some overlap in topics and agendas between the CENL-FEP Working Group and the Copyright and Information Management Law Working Group, including on issues such as text and data mining, which can cause confusion and occasionally conflict between the groups.
- Working groups are not always clear on their current direction in relation to CENL, and how to engage with the CENL Executive Committee and CENL Board.
- No formal alignment with current CENL strategy.
- The groups’ lobbying activities are not consistent with emerging new CENL advocacy focus. In addition the CENL groups cannot lobby in contradiction to individual members’ governments, which makes the ‘speaking with one voice’ very challenging to achieve.
- Groups operate under CENL name without clear strategic involvement or direction from Executive Committee or Secretariat.
- Publishers expressed a wish to be able to speak to copyright experts from national libraries, who are not present in the CENL-FEP working group.
- Engagement and communication with the rest of the membership has decreased.
- Working group meetings are generally more about information exchange and network-building rather than ‘working’ on a particular issue.
- Current structure inhibits creation of new groups which could be of higher value to members.

## 4. Key considerations and assumptions

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For the purposes of formulating options and recommendations, the following assumptions were made by the review team:

### 1. Advocacy

The view of the review group – confirmed by EC – was that CENL’s new strategy clarifies and re-focuses the organisation’s advocacy role to be more about **the promotion of the status and importance of National Libraries in general** as a category of institution across the continent – providing members with best practice and good examples of raising profile and political and public support – and less about specific campaigns on policy issues at EU level where the majority of library interests are generally well represented by other groups, and CENL lacks the infrastructure to conduct sustained on-the-ground lobbying with EU policy-makers. This has implications for the role and remit of any sub-groups that operate under the CENL name.

### 2. New website

The new CENL website will present a stronger public face for CENL, with informative resources on member libraries which will allow the organisation’s general advocacy role to express itself more effectively than before. The new website should also make it easier for groups to form and communicate with each other, equipping CENL members with new tools to connect online through a special network forum.

### 3. ISNI

ISNI is different in kind from the other two groups, and it is expected that arrangements will change in any case as a result of overall governance changes at ISNI International Agency Board level. It is envisaged that Bibliothèque nationale de France and British Library will continue to represent national libraries at the governing board level but the institutional role of CENL in this context is under discussion. Individual CENL members have already joined ISNI separately, and can continue to do so in future. A new library representation group for ISNI is being considered at present. The implication of all of this is that CENL’s relationship with ISNI can and should be considered separately from the future of the other two groups.

## 5. Options

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The options developed by the review team focus chiefly on the future status of the CENL-FEP Working Group and the Copyright and Information Management Law Working Group, in the light of the assumptions above.

The review team presented four options to the Executive Committee. The first option was to keep the model as is at present, and not to make any changes. Under this option all CENL working groups would continue operating on current arrangements, meeting about twice per year and reporting back to the AGM. The benefits of this model would have been the continuity of long-established relationships without intervention. But it would have also meant that issues raised during the review would not be addressed, such as potential for confusion do to overlap of remit, no clear alignment with CENL strategy and conflicts with regards to CENL's position on advocacy and lobbying. There would also have been no signal of change or space for new groups to form.

The second option was to change the governance and way of working in small steps incrementally. In this option, current CENL working groups would continue but would be asked to approve revised and standardised Terms of Reference, for example with regular re-elections for Chair and working group members, better alignment with current CENL strategic objectives, clearer guidance on lobbying. Groups would also have an agreed mechanism to communicate with each other, eg. one joint meeting per year.

The benefits of this options would be increased communication, and partially improved alignment with CENL advocacy policy. External publisher representatives would also able to meet Library copyright experts, a wish which was raised during the interviews.

The Executive Committee felt that this option would constitute a compromise that may not fully satisfy any parties. Any alignment with the CENL strategy could only be partial and feel retro-fitted. As with the first option, there would be no signal of change or space for new groups to form.

The third option was to have a 'fresh start' and to replace the working group format with new 'CENL network groups'. In this option, CENL would move away from the concept of 'working groups' (except for occasional specific task-and-finish projects) and instead establish a new format for CENL 'network groups' (NG), which, in alignment with the new CENL strategy, would be explicitly focussed on knowledge exchange, network-building and professional support, rather than advocacy or policy development.

Potential characteristics would include a 3-year term for Chair and members, synchronised and timed to align with Chair of EC election/renewal to allow for periodic holistic review. Members would invited to propose topics for NGs, with standard application form and encouragement to align with CENL strategic priorities. There would be a maximum of 3 groups at any one time, to limit burden on Secretariat. There would also be common Terms of Reference for all groups and group membership would be encouraged from second-tier leaders and experts within national libraries to encourage staff development and growth. For the first time, approved NGs would receive standing

bursary to help with travel costs etc and will be expected to contribute a short written report to AGM. In addition NGs will have opportunity to propose a session for AGM based on their topic (with additional funding available to support successful applicants).

Chairs of the current Working Groups would be invited to apply, if they wish, to create a NG 'version' of their group, adapted to conform with the new format and guidelines. As these are official CENL groups, 'joint governance' by third-party organisations would not be permitted, but where the topic is relevant externals could be invited to join (eg there could be a 'CENL Publisher Relations Network Group' which acts as a successor to CENL-FEP WG).

The benefits of this option included active alignment with strategic aims and objectives. A version of current networks and 'safe spaces' could continue, but with a clarified focus and mission. This option would provide a better link to the overall CENL membership as well as opportunities to stimulate new relationships and connections across the network, making full use of the new website. On the down-side, there would be, at least initially, an increased burden on the Secretariat while new groups are being set-up. This change would further cause disruption for the current groups and structures and especially the communication with external participants would need careful handling as there would no longer be 'joint management' of groups.

The review team also prepared a fourth option, proposing to close all working groups with no replacement. In this option, the CENL-FEP and Copyright Working Groups would be closed as CENL working groups. No new working groups would be established and information sharing will be achieved by strengthening the network through bursary schemes and an improved website. This option would eliminate conflicts between working groups and reduce reporting requirements, but send a negative message to all current working group members, including FEP. It would result in a reduction in scope for networking and communication and would fail to send a signal of innovation. This option would put reliance on bursaries and website functionality to support continued dialogue and networking.

## **6. Decision**

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The review team recommended to adopt 'Option 3: Fresh Start' and the Executive Committee agreed to adopt this option. Their view was that this would be the best option to stimulate continued activity that supports dialogue and engagement, in alignment to the CENL strategy, while allowing scope to protect and renew existing networks and relationships which have formed over a long period of time.

The Executive further suggested that an option should be maintained to create occasional 'task-and-finish' groups for matters which require urgent and concentrated focus. These should have a concrete remit and focus, be initiated by the CENL Executive Committee and have an agreed start and end point.

## **7. Next steps**

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The Executive Committee will present its review findings and decisions at the CENL Annual General Meeting in June 2019. Over the summer, CENL members will be invited to contribute ideas to the themes from which new network groups can emerge. The Secretariat will produce clear terms of reference and design an application process for interested members to suggest network groups. A budget line for new working groups has been included in the draft 2020 budget.

The selection of the first groups will last until the end of term of the current Executive Committee, which is June 2021. After that a new Executive Committee will have the opportunity to review the groups to align them with a new strategy.