

Novice to Know-How Module Text

Course 4: Select and Transfer Digital Content

Module 2: Working with External Depositors

The development of this course was funded by The National Archives (UK) as part of the "Plugged In, Powered Up" digital capacity building strategy.

1. Introduction.

In the previous module, "Selecting Digital Content", we looked at various issues that might affect our decision to acquire a digital collection and talked about their impact on collecting policies and procedures.

But selection is only one part of the bigger process of working with content creators in preparation for accepting the digital content into our repository/archive.

In this module we will focus specifically on issues around working with depositors who are external to our organization, and in the next, working with internal content creators. The relationships and processes for the two have different issues to be addressed.

2. Establishing a Dialogue with Depositors.

The first step in working with external depositors is, of course, establishing a dialogue to discuss the content to be deposited, and the agreements and processes required to make that happen.

Methods for communicating with external depositors about the deposit of digital content will not differ from those we use for analogue content. But the questions we need to ask, and the agreements and processes need to facilitate transfer will.

So, whether we are discussing things in person, on the phone, via email, or using another means of communication, it is worth making sure we are ready to ask the right questions and describe the correct processes.

3. Issues to Discuss with External Depositors.

As mentioned on the previous slide there are issues specific to digital content that you will need to discuss with potential depositors. These are as follows:

Ownership.

It is essential to clearly establish the ownership of the digital content. This can be more difficult than with analogue content as it is very easy to copy and transfer digital files, and a copy is usually an exact copy of the original. We will need to establish who created the content, if any 3rd party material is included, and, if the depositor plans to retain a copy, discuss the implications if ownership is to pass to the repository.

Intellectual Property Rights.

Like ownership, we must seek clarity on who holds the intellectual property rights (IPR) for the digital content. Particularly as digital content sometimes contains 3rd-party material, which the depositor might not hold the rights for. We will need to discuss:

- Who owns the IPR?
- If 3rd party material is included
- If IPR will be transferred with ownership
 - If not, what licenses can be agreed

Privacy/Sensitive Data.

Next, we need to discuss with the depositor if the digital content contains any sensitive data or information that would be covered by data protection legislation. Knowing about this early in the process will aid with decisions about whether or not to accept the deposit, and planning the management of this information when it is transferred.

Access.

We will also need to discuss with the depositor any restrictions that they may wish to impose on access to the digital content. These may be closely linked to issues around IPR and/or privacy/sensitive data. If restrictions are requested we may need to consider if we will accept the content if the restrictions are in conflict with our access policy. If we do accept the deposit we will need to plan how to manage any restrictions.

Responsibilities.

It is important to discuss with the depositor both their responsibilities in this process and the repository's. This will cover the actions both will promise to undertake, as well as clarifying the repository's ongoing commitments to the preservation of and provision of access to the digital content. This is important to establish clear expectations for the depositor.

What is Included.

It is obviously important to know what content to expect as part of the deposit, so it is worth discussing this in as much detail as possible. We may wish to ask for information such as the subject matter covered, file formats, number of files, size of the content, software used to create the files, and any possible encryption. If possible, we may want to ask the depositor to use a free tool like DROID to provide file-level metadata.

Documentation & Metadata.

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We will need to discuss with the depositor what documentation and metadata we can expect with the content. As part of our collecting policy we may wish to set minimum requirements for documentation (although they may differ depending on the content type, e.g. a database requires more metadata than an image files). We will also need to consider how much effort we can expect to expend in creating/gathering documentation.

Storage Media.

We will also need to ask the depositor to provide details of the storage media the digital content is currently on, to allow us to plan for transfer and processing. Is it on easily portable storage such as a USB drive or external hard drive, or is it currently stored on a PC or Laptop, or even in a cloud storage solution? Each provides its own challenges and early planning for the transfer process will make things run more smoothly.

Transfer of Content.

Once we have gathered information about the content in the deposit, we will need to put together a plan for transfer. We will talk more about how to do this in the "Transfer of Digital Content" module. Once we have a plan in place, we should discuss it with the depositor so they understand their role, the key actions, and timescales. Clarity on how we will confirm that the transfer is complete is particularly important.

Future Deposits.

Finally, we should ask the depositor if there are likely to be any further deposits of related content. Knowing about these ahead of time will allow us to consider them in our ongoing planning, and when processing the current deposit.

4. Agreements for Digital Content.

As we know from working with analogue deposits, having the right agreements in place provides clarity around ownership and other legal considerations like Intellectual Property Rights. And these only become more important the further we are removed from the time of deposit.

The types of agreements we need for digital content are similar to those for analogue content, they will just need some changes to account for the nature of digital content and its preservation requirements. We will have a look at some of the issues to be considered on the next two slides.

5. Agreements.

We may need more than one type of agreement, at minimum to cover where ownership is transferred and where it is not. For any agreement the following are some of the issues we may wish to consider:

- How should we capture information about deposit's size? Should it be by size (in MB/GB/TB)? By number of files? Or another metric?

- Is IPR being transferred? If so, is this covered? If not, do we have appropriate licenses to cover access and preservation? (see next slide)
- Are there any access restrictions that need to be included?
- If there are any issues relating to privacy or sensitive data, have we covered this in the agreement?
- Have we defined the repository's commitments to preservation? For example, are we committing to preservation for a set period of time or in perpetuity? What level of preservation are we committing to? Are we only guaranteeing bitstream preservation or offering full content preservation?
- Have we detailed the transfer process for the deposit, including responsibilities of the depositor and the repository, and how the completion of the process will be acknowledged?

6. Licenses.

If Intellectual Property Rights (IPR) are not being transferred with ownership of the digital content, it is imperative that a license covering issues around access and preservation is granted. The license should last at least as long as the repository is committing to preservation of the content, but in perpetuity is ideal.

If there is an access policy in place, the provisions in this area should ideally align with it. If not, we must identify acceptable requirements. For preservation, we need to keep in mind that some actions require the repository to move, copy, and alter the content, so the license must provide for these actions.

If IPR is being transferred to the repository, and the depositor is retaining a copy of the content, we will need to provide a license to them for reuse as needed.

7. Guidance for Depositors.

One way to ease the negotiation process is to assemble written guidance for depositors on the standard issues they will need to think about. This can cover all of the topics we have mentioned so far in this module, but in the next few slides we will focus on three particularly important subjects to cover:

- File Formats
- Documentation and Metadata
- Information About the Repository

The resources for this module include some links to example depositor guidance.

8. Guidance on File Formats.

In the module "Files and File Formats" it was mentioned that a repository may wish to compile a list of preferred and/or accepted file formats to help guide their preservation decisions.

If this exists, you should share this information as part of the depositor guidance. If they are regular depositors it may influence their file format choices, or, if digital content exists in multiple versions, they can supply us with the best option for preservation.

If you do not have a preferred/accepted file formats list, it is still worthwhile offering some guidance to depositors on this topic. Particularly to encourage the use of open and common file formats where possible.

9. Guidance on Documentation and Metadata.

Give depositors advice on creating documentation and metadata where appropriate. This can include describing the minimum metadata we require with a deposit, and how to capture and format that metadata.

As an example, we may ask depositors to use DROID, or a similar tool, to capture simple characterization information and checksums (the latter to help manage authenticity through the transfer to process). They could then provide this metadata in a .csv file to allow processing and checking by the repository.

We must, however, beware of requiring too much of depositors in relation to metadata creation, both in relation to the quantity we ask them to produce and expectations of their technical capabilities...

We may also wish to provide guidance on documentation needed for particular content types. For example, with a database we will likely need an accompanying data dictionary to explain its structure, or with images a list of captions describing what the image shows.

10. Information on the Repository.

It may also be helpful to include information on the repository and its processes. This can be particularly useful for depositors looking to assess if the repository is the appropriate place to deposit their content before they make contact. We may wish to include information about:

- The history and context of the repository
- The types of content that are collected
- The approaches taken to preservation
- The deposit and transfer process

This is obviously not a definitive list, and there may be additional topics of relevance at individual repositories.

11. Module Wrap-Up.

In this module we have explored important issues to be considered when working with external depositors towards the acquisition of digital content.

It is important to establish a good working relationship with the depositor and be well prepared for the issues we will need to discuss with them.

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We also need to make sure that any agreements are fit for purpose in relation to digital content, particularly having licenses that include provisions for access and preservation requirements.

Finally, it is good practice to assemble written guidance for depositors to help clarify and manage the process.