

Striking the Balance

How NMDC members are balancing public access and commercial reuse of digital content

A report by the Collections Trust commissioned by the NMDC

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Foreword

This report and the research which has informed it have taken place against a backdrop of tremendous change, both for NMDC member institutions and their counterparts in Europe and worldwide. The global economic crisis which began in 2008 set the context for a period of change in policy, public subsidy and the broader legal environment to which museums have had to respond with clarity and creativity.

The subject of this report – the different strategies which NMDC member museums, libraries and archives are adopting both to fulfil their public mission and promote their sustainability – is timely and significant in this wider context. More than simply documenting these strategies, we have sought to understand the reasoning behind them and their impact on the wider direction of the museums involved.

No two organisations are the same, and the strategies adopted in one may not be appropriate to another. In the course of this study, we have discovered that the approach of each participating museum is highly sensitive to its context, audience, collections, location and relationship with its political and strategic supporters. The most successful have found ways of connecting their strategy intimately with the delivery of their core Mission or purpose.

The Collections Trust and the authors of this report are grateful to the NMDC for commissioning it. We would also like to acknowledge the contribution of the dozens of professionals that have contributed to it. We hope that the findings will be informative and useful in helping the Directors and Managers of NMDC member institutions develop their own strategies.

Nick Merriman
Chair, Collections Trust

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Executive summary

This report sets out the key findings and recommendations from an 18-month study of the different methods and approaches by which NMDC member institutions are seeking to balance or reconcile the twin objectives of maximising public access to their digital content while promoting their financial sustainability.

The study takes place against a backdrop of significant change and economic pressure on UK museums. While on the one hand austerity policies are squeezing capacity and resource, on the other increased visitor figures point toward significantly increased demand.

The rise of consumer technologies and the emergence of ‘open content’ movements such as OpenGLAM and GLAMwiki are placing increased pressure on museums to make their digital content freely available for people to discover and use online.

The question at the heart of this enquiry is perhaps best expressed by Jeff Cowton, Curator at the Wordsworth Trust, when he comments:

“This is the critical balance which we manage every day – between our need as a charity to provide free access for public benefit and our other need as a charity to make the most of our assets to survive.”

This report presents the findings of more than 40 interviews with professional colleagues across the full range of NMDC member institutions. It paints a picture of a sector in transition, exploring new opportunities while seeking to mitigate risk and maximise return.

The authors have provided definitions of the key terms and concepts used in the report, and have highlighted the need for further coordination among the NMDC membership to develop a shared understanding of these concepts.

Key findings

Key findings of this study include:

- No two museums are the same, and their approach to the balance between open access and commercial reuse is highly sensitive to their specific circumstances, capabilities, leadership, collections, audience, location and prior business model.
- There is an overall lack of clarity in the definition of the different approaches to open content licensing and commercial reuse.
- There is a general lack of concerted policy in this area, with the majority of the participating museums finding their way through the associated issues on an ad-hoc or case-by-case basis.
- There are significant opportunities to develop hybrid models which combine open access and commercial reuse.
- There is a growing body of evidence that open access to digital content for both commercial and non-commercial reuse drives value back to the existing business model or revenue streams of the institution.

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- There is a need for greater clarity in relation to expectations of commercial revenue generation, with a specific need to articulate clear targets and measures against which the success or otherwise of a given activity can be evaluated.
- There is a significant investment gap reported between the aspiration either to promote open access or commercial reuse and the extent to which participating institutions are able to invest in capacity, infrastructure and promotion to realise these ambitions.

Broader context for this study

The majority of museums in the UK operate according to a mission that is defined in terms of benefit to the public. A recent research report¹ from the Collections Trust estimates that up to 83% of the mission statements of museums cite ‘education and/or the advancement of learning as their key purpose.’

Whether articulated through primary legislation, as in the case of the national museums, archives and libraries, through governing documents or strategic plans, UK museums are united by this public task, the origins of which are particular to our specific history and identity.

The UK museum sector is characterised by a significantly greater diversity of governance and funding than is found in other, more centralised administrations in Europe and elsewhere. This diversity, too, reflects the specific circumstances of our geography and political history and the ‘arms-length principle’ which defines the relationship between central government and public sector organisations.

In spite of this structural diversity, the UK museum profession is further united by a common commitment, expressed in the form of the Museums Association’s *Code of Ethics*. This combination of structural diversity and strategic commonality of purpose has traditionally been seen as a strength – enabling museums to respond to local needs and priorities within the context of an overarching national offer.

Museum funding – a blended economy

The diversity of governance in the UK museum sector is also reflected in the diversity of models through which museum activities are financed.

Museums throughout the UK largely operate according to a ‘blended’ funding model, combining public finance with direct philanthropic, personal and corporate giving, donations, bequests, sponsorship and directly ‘commercial’ activity.

Again, this plurality of funding sources has traditionally been a strength of UK museums – enabling them to adjust the relative degrees of income from public and private sources according to the prevailing political and economic climate while avoiding dependency on any single source.

This strength is reflected in the National Museum Directors Council (NMDC) report *Museums Deliver* (NMDC, 2010)², which states:

“Museums have reinvented themselves in recent years. Using public funding, they have generated substantial private investment to rebuild, remain relevant and become truly outstanding. With continued public support, our museums will grow through such partnerships.

Museums represent the core values of human integrity and ingenuity to which we turn in a crisis, and that we celebrate in times of success. With continuing support, they will provide the outstanding public services and programmes which Britain can be proud of in 2012.”

¹ <http://www.collectionstrust.org.uk/blog/bpp-report>

² <http://www.nationalmuseums.org.uk>

Challenging economic and policy environment

In the wake of the global economic crisis of 2008, the UK Government (through the Parliament which began in 2010-11) embarked on a policy of fiscal consolidation based on eight successive years of tax increases and cuts to public expenditure.

The aim of this 'austerity policy' has been to bring the level of structural borrowing by the Exchequer below the average for G7 countries by 2017. Before 2008, the UK was estimated to have had the 'fourth highest level of structural government borrowing of the 29 advanced economies for which data is available' (source: *Institute of Fiscal Studies*³).

The impact of this policy on public services is widely documented. It has been and continues to be felt in different parts of the UK museum community to differing degrees and with different outcomes. Specific documented impacts include:

- Freezes or real-terms reductions in budget allocations to national museums, archives and libraries relative to inflation of between 15-30%⁴.
- Increased emphasis on promoting philanthropy in the form of corporate and private giving (source: NMDC report *Private Giving for the Public Good*)⁵.
- Threatened and actual cuts to Local Authority budgets for museums and museum services, ranging from 15% to wholesale withdrawal of investment (source: Museums Association report *Impact of Cuts on UK Museums*)⁶.
- Increased competition for available grant funding through the Heritage Lottery Fund and others (source: Association of Independent Museums *Fundraising Success Guide*)⁷.
- Two phases of real-terms cuts to the budget allocation to the *Arts Council England* as the primary development body for English museums, announced in 2010 and 2014 (1.17%)⁸.

These economic strictures combine to form a period of rapid change in the underlying funding model for UK museums. While it is not the first time that museums have experienced this change, the current situation is marked in the speed of the transition (within a single parliamentary cycle) and the relative lack of supporting legislative and policy structure to facilitate it.

It is worth noting that the speed and scale of turnaround in public financing of UK museums is exacerbated by the preceding period of relatively benign investment policy – represented both by the impetus to support free admission in national museums and the large-scale investment in regional museums through *Renaissance in the Regions*.

³ <http://www.ifs.org.uk/publications/6683>

⁴ <http://www.nationalmuseums.org.uk/news/nmdc-response-2013-spending-review/>

⁵ <http://www.nationalmuseums.org.uk/what-we-do/philanthropy/#private>

⁶ <http://www.museumsassociation.org/download?id=363804>

⁷ <http://www.aim-museums.co.uk/downloads/108f4e8f-b24a-11e2-b572-001999b209eb.pdf>

⁸ <http://www.thestage.co.uk/news/2013/12/arts-council-england-announces-funding-cuts-2014/>

From 'subsidy' to 'investment'

A key aspect of the discussion of funding museum services in the context of austerity policy is the need to replace the concept of 'public subsidy' with that of strategic investment.

In terms of the broader narrative about public services, subsidy is increasingly regarded as synonymous with state dependency, whereas investment is more strongly associated with 'positive' principles around financial acumen, commercial development and a clarity of financial and non-financial return (such as social capital).

Increased public demand

This period of economic retrenchment is in marked counterpoint to the 'other' prevailing trend for UK museums, which is a marked increase in public demand for museum and heritage services.

According to the Q2 *Statistical Release* of the DCMS *Taking Part* survey (a survey of participation in arts and museum services in the UK) published in December 2014:

*"Between October 2013 and September 2014, over half of adults (52%) had visited a museum or gallery in the last year. Though a similar proportion to 2012/13, this was significantly higher than in any survey year between 2005/06 and 2011/12. This increase was seen across all English regions."*⁹

This general trend of increased participation is reflected in the reported visitor figures and KPI for NMDC member museums, archives and libraries. In 2013, for example, the Natural History Museum reported a 'record high' of 5.3m visitors, up from 4.8 in 2011-12. In March 2014, the media reported a 12% increase in visits to London's cultural attractions, with the British Museum increasing its visitor figures by 20% on the same period in 2011-12¹⁰.

Some of these increases may be attributable to the 'Olympics effect' but equally significant rises in visitor figures have been reported by museums around the UK. In 2013, for example, Leeds City Museum reported a 19.8% increase in visitor figures over the previous year¹¹.

Increased digital participation

The parallel impacts of austerity policy and increased participation are compounded by the more general trend in the use of digital technologies by the public to engage with museum services.

Online statistics website wearesocial.org tracks key trends in Internet usage in the UK and internationally, and has reported key statistics for 2014 including:

- The UK has 55m regular Internet users, representing approximately 87% of the population.
- There are 37m active Facebook users in the UK, and 82m active mobile subscriptions (representing 130% of the population).

⁹ <https://www.gov.uk/government/statistics/taking-part-201415-quarter-2-statistical-release>

¹⁰ 'British Museum leads rise in visits to British attractions' (Telegraph, 05.03.2014)

¹¹ <http://newsfeed.leedsvirtualnewsroom.co.uk/2014/10/visitors-flocking-to-leeds-museums-and.html>

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- On average, UK subscribers spend 1 hour and 51 minutes *per day* engaged in social media.
- 64% of the UK population habitually use the Internet via mobile devices.

In the words of Di Lees, Director-General of the Imperial War Museum, speaking at a Jisc-organised event aboard HMS Belfast, “online is increasingly the frontline for our museums”. The Science Museum in London, for example, welcomes more than 3m visitors in person each year, while visitors to its online presence regularly exceed 12m per year.

Not only has the significant penetration of the Internet in public life opened up new avenues for audience development in museums, it also offers considerable potential for new income. The 2014 IRMG Cap Gemini e-Retail Sales Index records online expenditure by UK consumers in excess of £11bn, an 18% increase on the same period in 2012-13¹².

Moreover, the increased consumer use of technology has had a very profound effect on the profile of philanthropic giving, offering new avenues for fundraisers to explore in reaching the public. Figures published by the Institute of Fundraising in association with Blackbaud for 2013 indicate that the average value of online donations has risen by nearly 32% since 2010¹³.

While figures for the proportion of giving specifically to museums received via the web, email and social media campaigns are not available, both the Arts Council England’s *Catalyst* grants programme and the Art Fund’s *Art Happens* crowdfunding platform¹⁴ have acknowledged the significant rise in the importance of online channels to drive philanthropic giving.

Open Government in the UK

In 2013, the UK Government led a consortium of 8 Nations in establishing the *Open Government Partnership*. The Partnership is a voluntary community of national governments that have made a commitment to a shared *Open Government Declaration*. The declaration states:

“Governments collect and hold information on behalf of people, and citizens have a right to seek information about governmental activities.

We commit to promoting increased access to information and disclosure about governmental activities at every level of government.

We commit to increasing our efforts to systematically collect and publish data on government spending and performance for essential public services and activities.”¹⁵

In many ways, the UK has been a pioneer in promoting the civic and economic benefits of Open Government. In 2010-11, it founded the Open Data Institute, whose aims are stated as:

“The Open Data Institute is catalysing the evolution of open data culture to create economic, environmental, and social value. It helps unlock supply, generates demand, creates and disseminates knowledge to address local and global issues.”

¹² <http://www.imrg.org/index.php?catalog=539>

¹³ <http://www.institute-of-fundraising.org.uk/research/uk-online-giving-trends/>

¹⁴ <http://www.artfund.org/get-involved/art-happens>

¹⁵ <http://www.opengovpartnership.org/about/what-open-government-partnership/open-government-declaration>

While the rich cultural and educational content produced and broadcast by NMDC member institutions is not directly included within the narrower definition of 'open data', the overt commitment to Open Government by the current UK Parliament provides an important political context for museums when considering the balance between their public task and commercial sustainability.

This broader Open Government agenda is also matched by an emerging community that is promoting the principle of 'open access' to digital content in museums and cultural heritage institutions as both an ideological and civic principle.

Examples of these community-led developments include the OpenGLAM movement initiated by the Open Knowledge Foundation (OKfN)¹⁶ and GLAMwiki¹⁷, the museum-focused strand of the Wikimedia Foundation that is also responsible for the development of Wikipedia and related projects.

These grassroots and community-led initiatives regard digital content produced by publicly-funded museums in broad terms as 'public property', or belonging to a commons, and generally campaign against policies for reuse which represent a form of enclosure or denial of access to this material for either commercial or non-commercial purposes.

Converging trends and striking the balance

In the context of these converging trends - financial pressure, increased visitor numbers, rising levels of online participation, the impetus toward Open Government and the activism of the OpenGLAM/GLAMwiki communities - it is hardly surprising that most of the NMDC member institutions are considering how to maximise future sustainability and promote growth by balancing open access to digital content with developing new sources of independent revenue.

¹⁶ <http://openglam.org/>

¹⁷ <http://en.wikipedia.org/wiki/Wikipedia:GLAM>

Defining key concepts

In the development of this enquiry, several key expressions and concepts have been used with significantly differing meanings by different stakeholders. Examples include ‘open’, ‘content’, ‘commercial’ and ‘reuse’, all of which are used regularly in the discourse about open access and commercial sustainability but none of which have commonly-agreed definitions.

In seeking to establish a clearer understanding of the different approaches that NMDC member institutions are taking to this question, the authors have sought to be non-partisan in their approach to these definitions.

Different concepts of ‘open’

During the course of this study, the following expressions have been encountered, used almost interchangeably: ‘open content’, ‘open data’, ‘open access’ and ‘open knowledge’. In practice, however, they refer to quite separate concepts and should be understood as such.

‘Open content’ is defined by the community-led initiative opendefinition.org as follows:

“A piece of content or data is open if anyone is free to use, reuse, and redistribute it — subject only, at most, to the requirement to attribute and/or share-alike.”

‘Open access’, on the other hand, is subject to a well-established common definition best represented by the following clarification provided by HEFCE:

“Open access is about making the products of research freely accessible to all. It allows research to be disseminated quickly and widely, the research process to operate more efficiently, and increased use and understanding of research by business, government, charities and the wider public.”¹⁸

Open access to scholarly research is a separate, but connected issue to that of ‘open access’ to the digital output of NMDC member institutions. As with Open Government, it sets a broader policy narrative that favours the withdrawal of financial or other barriers to access and reuse, but it is not synonymous with the provision of digital content in museums, archives and libraries.

The expression ‘open knowledge’ represents a further variation on this theme. The Open Knowledge Foundation provide the following definition of the relationship between ‘open knowledge’ and ‘open data’*:

“Open knowledge is what open data becomes when it is useful, usable and used. The characteristics of openness are:

Availability and access: the data must be available as a whole, and at no more than a reasonable reproduction cost, preferably by downloading over the internet. The data must also be available in a convenient and modifiable form.

Reuse and redistribution: the data must be provided under terms that permit reuse and redistribution including the intermixing with other datasets. The data must be machine-readable.

¹⁸ <http://www.hefce.ac.uk/whatwedo/rsrch/infrastruct/oa/oa/>

Universal participation: everyone must be able to use, reuse and redistribute — there should be no discrimination against fields of endeavour or against persons or groups. For example, ‘non-commercial’ restrictions that would prevent ‘commercial’ use, or restrictions of use for certain purposes (e.g. only in education), are not allowed.”

* for a disambiguation of the expressions ‘content’ and ‘data’ see below.

Open licences

The majority of the commonly-used definitions of ‘open’ in the context of the discovery and reuse of digital content or data hinge on the application of a variant of an ‘open licence’.

The term ‘open licence’ is applied to a tremendously diverse range of contracts, template licences, agreements and terms and conditions of use. Again, opendefinition.org provides a useful overarching definition:

“A licence is a document that specifies what can and cannot be done with a work (whether sound, text, image or multimedia). It grants permissions and states restrictions. Broadly speaking, an open licence is one which grants permission to access, re-use and redistribute a work with few or no restrictions.”

Examples of commonly-used ‘open licences’ or open licensing frameworks include:

- Creative Commons CC-Zero (CC0)¹⁹
- Open Data Commons Public Domain Licence and Dedication (PDDL)²⁰
- Creative Commons Attribution 4.0²¹
- UK Open Government Licence version 3²²

For the purposes of this study, we have assumed that when museums refer to the development of policies which permit ‘open’ reuse of their digital content, the resulting policies will primarily focus on the distribution of content under an open licence in order to promote the 3 connected qualities of:

- Availability and access
- Reuse and redistribution
- Universal participation

It should be noted, and will be explored further, that these policies may involve either direct provision of access to digital content, participation in third-party platforms (such as Wikimedia Commons) which promote open reuse of digital content or a combination of these approaches.

‘Data’ and ‘content’

Throughout the course of this study, the expressions ‘data’, ‘metadata’ and ‘content’ have been used broadly interchangeably. As with the definition of ‘open’, they refer to distinct concepts, and

¹⁹ <http://opendefinition.org/licenses/cc-zero>

²⁰ <http://opendefinition.org/licenses/odc-pddl>

²¹ <http://opendefinition.org/licenses/cc-by>

²² <http://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/>

some disambiguation is necessary in order to develop a better understanding of the approach of NMDC member institutions.

For the purposes of this report, therefore, the authors have adopted the four ‘layers’ of digital material adopted by Europeana (www.europeana.eu) for their *Digital Content Reuse Framework*:

Material	Definition
Physical objects	Paintings, artefacts, books, archival documents, photos, videos, sound recordings or any other type of object in the museum’s care.
Digital surrogates	Photographs, scans, transcriptions, models, videos, audio recordings or any other type of digital file that represents a physical object.
Search previews	Smaller versions of digital image files, snippets from audio and/or video files, excerpts from text files or other reduced-quality representations of the digital objects.
Descriptive metadata	Factual information such as titles, authors and dates as well as descriptions and relationships to other objects.

It is important to differentiate between ‘primary’ digital content, being effectively curated or created works and representations of material in the collections, and metadata about that content, which constitutes abbreviated or factual information about, relating or linking to it.

This distinction has been and continues to be subject to ongoing debate and is the source of considerable confusion across the museums, arts and heritage sector since the degree of ‘ownership’ of and risk associated with the publication of content as opposed to metadata is not well-defined.

For the purposes of this report, we have drawn a broad definition between ‘content’ (primary digital material’) and ‘metadata’ (administrative and discovery information relating to that material) and sought to differentiate these when examining the differing approaches of different institutions.

Defining concepts of ‘commercial reuse’

The subject of this study has been the policies, methodologies and approaches by which NMDC member institutions are seeking to strike a balance between public access to and commercial reuse of their digital content. It is therefore important to set some definition around the concept of ‘commercial reuse’.

As with definitions of ‘open’, ‘commercial reuse’ is not subject to a commonly-accepted industry-wide definition. Some parts of the community, for example, would define ‘commercial’ in terms of the sole or exclusive motivation to generate profit. Others take a more blended view that ‘commercial’ includes activity that may not be profitable, but from which there is a clear financial return-on-investment. Hence a commercial activity may well be one that is loss-making, or which generates a secondary or intangible return as opposed to a direct financial one.

It is useful in this context to refer to the detailed guidance which Tate has provided in its boilerplate website terms and conditions²³ to provide definitions of 'commercial' and 'non-commercial' use:

Non-commercial use

Tate would usually regard the following uses of Tate imagery as non-commercial activity:

- Use in free educational lectures and classes;
- Use on an individual or group's website discussing the artwork in question;
- Use on websites that are primarily information-led, research-oriented and obviously non-commercial in nature, for example the William Blake Archive and Wikipedia;
- Use on personal social media accounts, provided the individual is not promoting themselves commercially.

Commercial use

Creative Commons defines commercial use as "reproducing a work in any manner that is primarily intended for or directed toward commercial advantage or monetary compensation".

Tate further defines commercial use as "use on or in anything that itself is charged for, on or in anything connected with something that is charged for, or on or in anything intended to make a profit or to cover costs."

As well as obviously commercial activities such as merchandise production, use of Tate images editorially in films and on TV, in publications that are sold, in advertisements and commercial promotions, Tate would usually regard the following uses of Tate imagery as commercial activity:

Use online or in print by commercial organisations, including (for the avoidance of doubt) trading arms of charities;

Use on an individual's website in such a way that adds value to their business, or for promotional purposes, or where offering a service to third parties;

- Use of images by university presses in publications online or in print;
- Use in publicity and promotional material connected with commercial events;
- Unsolicited use of images by news media, including front covers and centre-page spreads;
- Use in compilations of past examination papers;
- Use by commercial galleries and auction houses.

(Source: Tate website www.tate.org.uk, January 2015)

This question of the different models of return on investment is addressed in the chapter below (Understanding ROI). For the purposes of this study, we have assumed that 'commercial reuse' includes both directly income-generating activity and activity which yields a secondary or indirect financial benefit.

²³ <http://www.tate.org.uk/about/who-we-are/policies-and-procedures/website-terms-use/copyright-and-permissions>

General note on definitions

As will be apparent from the above distinctions, the lack of commonly-agreed definitions of concepts that are in effect central to the discussion presents a real barrier to museums when formulating effective policies.

Many museums, for example, have expressed an interest in going 'open', but in the absence of a clear definition, the actual implementation of this intent as a policy direction or series of actions is far from clear.

In practice, different institutions are finding their way through the current environment by developing policies based in practical steps and gradual advances (for example by adopting more permissive licensing frameworks in respect of lower-risk collections) as opposed to broader strategic, political or ideological discussions.

There is a question of whether it could be desirable for NMDC institutions, representing a significant leadership corpus for the wider museum community, could develop agreed strategies, frameworks or definitions in respect of some of these areas.

Mapping current trends

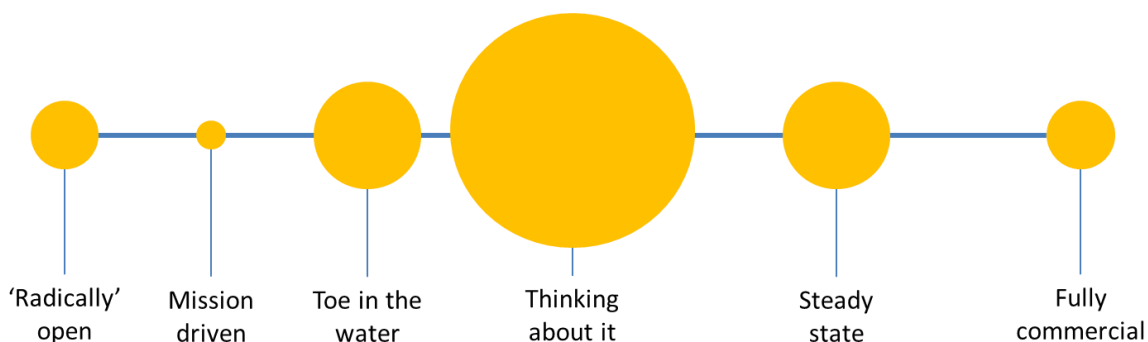
The approach that NMDC member institutions are taking in balancing public access and commercial reuse is perhaps best understood as a progression along an axis which runs between ‘radically open’ and fully commercial.

Different institutions are at different points along this axis, largely as a reflection of their specific governance structure, funding model, collections and the nature of the relationship which they intend to develop with their audience.

A relatively small number of museums, libraries and archives worldwide exist at the ‘radically open’ end of the spectrum, making the entirety of their digital output including high-quality images of their collections freely available to anyone for both commercial and non-commercial use.

Similarly, while there are numerous examples of publicly-supported museums that exist in a symbiotic relationship with a trading company, such as the relationship between the V&A and V&A Enterprises Ltd, there are very few examples in the UK of fully commercial Accredited museums that solely provide access to digital content on a charged basis.

The diagram below provides a thumbnail sketch of the current position of the majority of the museums, archives and libraries that formed the focus of this study:



A small number of NMDC member institutions have taken a strategic decision to provide some or all of their digital content under an open licence. Where this is the case, it appears largely to be a strategic decision driven by the Director of Senior Manager based on compatibility with the public mission of the museum or the nature of its collections.

Similarly, a number of museums are committed to controlling commercial reuse of digital content as a ‘steady state’ model – meaning that it is a breakeven or loss-making activity which nevertheless drives regular income back into the museum in order to support the costs of further digitisation or research.

By far the majority group that were engaged through this study, however, were those that are currently ‘thinking about it’ – with a strong sense that the broader economic, political and

professional environment is not yet sufficiently clear to make a definitive decision in favour of either greater openness or promoting commercial reuse.

In her 2013 interview with the New York Times, then Head of Digital Media at the National Gallery Charlotte Sexton observed:

“Everyone understands that open access is the way to go, but organizations are in different places, and we’re facing a conflicting set of challenges. On the one hand, museums are still making money from the sale of images. That income, though, has been decreasing. You have that commercial concern butting up against this desire to go for free access.”

In this section, we will examine a number of current initiatives in the sector, which represent approaches by museums, archives and libraries at different points along this axis.

Case study: The Rijksmuseum’s ‘Rijksstudio’

Much has been written about the success of the *Rijksstudio*, and the aim of this study is not to add to the canon of literature about this ground-breaking initiative. However, it is useful to reflect on the realities of the *Rijksstudio* some 2 years after its launch.

The Rijksmuseum reopened on 13 April 2013, after a period of renovation which lasted nearly 10 years and cost almost £320m. The purpose of the museum is to tell the visual story of the art and history of the Netherlands.

To a great extent, both the physical renovation of the building and the comprehensive updating and re-prioritising of its displays represented a commitment on the part of its leaders and funders to developing a museum ‘of the people, for the people’.

At the core of this reinvigoration of the public profile of the Rijksmuseum was the principle of openness – as Director Wim Pijbes said at a recent European Commission event in Rome:

“The first challenge was to open the building. The second was to open the collection. The third was to open the idea of the museum in the minds of the people who work there.”

During this period, the Rijksmuseum’s leadership team developed an ‘e-strategy’ predicated on the simple principle of promoting the “largest possible reach of the collection”. The development of the *Rijksstudio* was a natural consequence of this principle.

The *Rijksstudio* launched, while the museum was still closed, on 30 October 2012. At launch, it provided free access to high-quality images of 125,000 works in the museum’s collections.²⁴ Since then, the number has grown to almost 200,000 works. The impact of *Rijksstudio* was immediate. It garnered significant (and positive) coverage in both the media and the trade press. The museum capitalised on this by running a series of competitions celebrating the most creative and entrepreneurial uses of its images, including *Make your own Masterpiece* and encouraging designers on popular craft website Etsy to develop new products.

²⁴ Initially, users were required to register to access the collections, but in early 2014 the registration process was removed and no longer need to register.

As Peter Gorgels, Internet Manager at the Rijksmuseum commented:

“The results of Rijksstudio have far exceeded our expectations. The entire concept has been very well received at home and abroad. The idea of literally giving away high-quality images, supported by creative ambassadors and a state-of-the-art website which is extremely intuitive in use, has been described as “revolutionary.”

In the first three months alone, over 32,000 Rijksstudio portfolios were created, more than 112,000 artworks from the Rijksmuseum’s collection were downloaded and 28,000 sets were made. The amount of visitors has grown 34% since the launch of the new version of the website. The duration of each visit has increased from an average of 3 minutes to 10 minutes and especially iPad users spend a significant amount of time exploring the site (19 minutes!). The number of visitors using iPads or other mobile devices has also risen by 90% more.”

According to a senior member of the Rijksmuseum team who was interviewed for this study, the launch of *Rijksstudio* had an equally immediate impact on image licensing revenue, which fell by an estimated 75% following the launch of the platform.

This fall in revenue, on the other hand, was more than compensated by significantly higher increases in expenditure through the museums’ other income-generating channels such as e-commerce and onsite retail.

Moreover, there is a sense from the leadership team at the museum that any loss in revenue was further compensated by the reputational value of being seen to ‘lead the way’ in opening up the museum’s collection. As a predominantly publicly-funded institution, there is a sense that the initiative of *Rijksstudio* was compatible both with the public mission of the museum and the priorities of its funders in opening up access to the parts of the collection not otherwise accessible to the public.

The initiative has conferred a further benefit, of promoting the use of ‘better’ (more visually accurate or faithful to the original work) images of works from the Rijksmuseum collections. As Director of Collections Taco Dibbits commented:

“We’re a public institution, and so the art and objects we have are, in a way, everyone’s property. With the Internet, it’s so difficult to control your copyright or use of images that we decided we’d rather people use a very good high-resolution image of the ‘Milkmaid’ from the Rijksmuseum rather than using a very bad reproduction.”

The Rijksmuseum’s action in launching *Rijksstudio* has set a standard for museums wishing to open up their collections. It is important to set this standard in its proper context, however.

Many of the works accessible through *Rijksstudio* pre-date the development of copyright law in the Netherlands. The initiative was developed during a protracted period of closure for the physical museum, which allowed the staff to focus their efforts and resources on collections digitisation. It would be difficult to provide the same degree of access to contemporary works in other European countries (or indeed in the Netherlands) as *Rijksstudio* provides for Dutch Old Master paintings.

A key debate has been the extent to which the access provided through the *Rijksstudio* satisfies the 'strong' definition of 'open' discussed in the previous section. Access to the works for personal, non-commercial use is entirely unrestricted, whereas users are asked to register prior to downloading works for commercial purposes. At the same time, while the museum provides free access to high quality images, it retains the right to charge for 'digitisation on demand,' meaning if something is not already digitised, it charges to provide a digital copy.²⁵

Rijksstudio is a bold and ambitious step which is also in tune with the public profile and mission of the Rijksmuseum. That the museum was able to take this step is partly a function of its specific national and organisational circumstances. Director Wim Pijbes is in no doubt about the value of this approach for other museums. Speaking in response to the authors of this study²⁶, he commented:

"The revenue of selling pictures and rights, when you have taken in to account the costs, is nothing compared to the real value of fulfilling our mission, which is to open our national collections to a global audience.

Of course, Museum Directors are more flexible than you think. It is difficult because there are many people in jobs selling pictures. What we did with the Rijksstudio is offer them new jobs supporting the project of going open.

I am not concerned. I have no fear, and I would encourage any other museum to follow the path we have taken and to see the benefits for themselves."

Case study: Commercial reuse at the Ironbridge Gorge Museum Trust

Ironbridge Gorge Museum Trust is an industrial heritage organisation with responsibility for 10 museums and 35 historic sites within the World Heritage Site of Ironbridge Gorge in Shropshire. The Trust is an independent educational charity which funds the majority of its activities through admission charging, trading and associated commercial activities.

The Ironbridge Gorge Museum Trust has successfully secured ongoing support as a Major Partner Museum from the Arts Council England for the period 2015-18, which provides additional support of up to £2.2m to fund additional activities relating to collections, audience development and ongoing resilience.

In the words of CEO Anna Brennand: *"We always have due regard to our public task, but because we have always charged for entry to the museums we're comfortable with a commercial model"*.

According to Brennand, digital content does not currently play a significant part in the commercial activities of the Trust. The Trust has however, been successful in developing a range of financially-sustainable or income-generating activities which both capitalise on the nature of their collections and promote their reputation with key audiences.

Examples include *From our Collections*²⁷, a range of branded retail merchandise inspired by and using images from the Trust's designated collections, and *Engenuity*, which includes an innovative

²⁵ Initially, Rijksstudio charged for all high-quality TIFF images, but these are now available free of charge.

²⁶ European Commission ATHENA Plus event, Rome, 01/10/2014

²⁷ <http://shop.ironbridge.org.uk/shop/from-our-collections.html>

fabrication laboratory (FabLab) enabling local entrepreneurs and business, local schools, children and young people to develop new ideas.

At the heart of the Ironbridge Gorge Museum Trust's commercial sustainability is the ability to continue to develop products and experiences which drive repeat visits. Although the Trust does sell prints of selected works, the licensing of digital content for commercial reuse does not form a significant part of their overall fundraising strategy.

Looking ahead, Brennand sees the value of providing free open access to digital content primarily in terms of audience development:

"I see an opportunity to build our audience. If people download images and share them, and more people visit as a result, that's a win. The more people see the things in our collections, the more they're likely to visit."

This view is shared widely across the NMDC member institutions – that digital content may not *in itself* be a commercial asset, but that it offers an opportunity to drive broader audience engagement online which in turn drives greater traffic to the existing commercial activities such as retail, ticketing and even venue hire.

Brennand also highlights the tremendous diversity of governance and funding models across the NMDC community, and points out that there is unlikely ever to be a 'one size fits all' approach to the question of monetising content about or relating to the collections. She does, however point out a universal truth that all museums exist in a competitive environment and that "we have to keep changing, keep innovating to survive."

Large-scale datasets versus curated content

A key current trend centres on the distinction between the provision of search- and discovery-level access to very large datasets and the development of platforms which provide a highly 'curated' user experience.

In the library-domain, mass-digitisation initiatives are focussed on building up a critical mass of digital records to facilitate discovery. At this end of the scale, new approaches such as text and data mining are providing new tools for digital humanities researchers to unlock connections across previously prohibitively large bodies of information.

At this 'mass-access' end of the spectrum are platforms like Europeana (www.europeana.eu) which currently provides a cross-search of some 40m relatively simple records about digital objects in museum, archive and library collections.

There is, however, mounting evidence that the majority of public audiences are seeking specific, curated or 'thematic' experiences based on smaller quantities of higher-quality material, richly described and contextualised and presented through visually-attractive, mobile-optimised interfaces.

The vanguard of these 'high quality/low volume' cultural experiences was the British Museum's ground-breaking *A History of the World in 100 Objects*²⁸ in partnership with the BBC. This

²⁸ <http://www.bbc.co.uk/ahistoryoftheworld/>

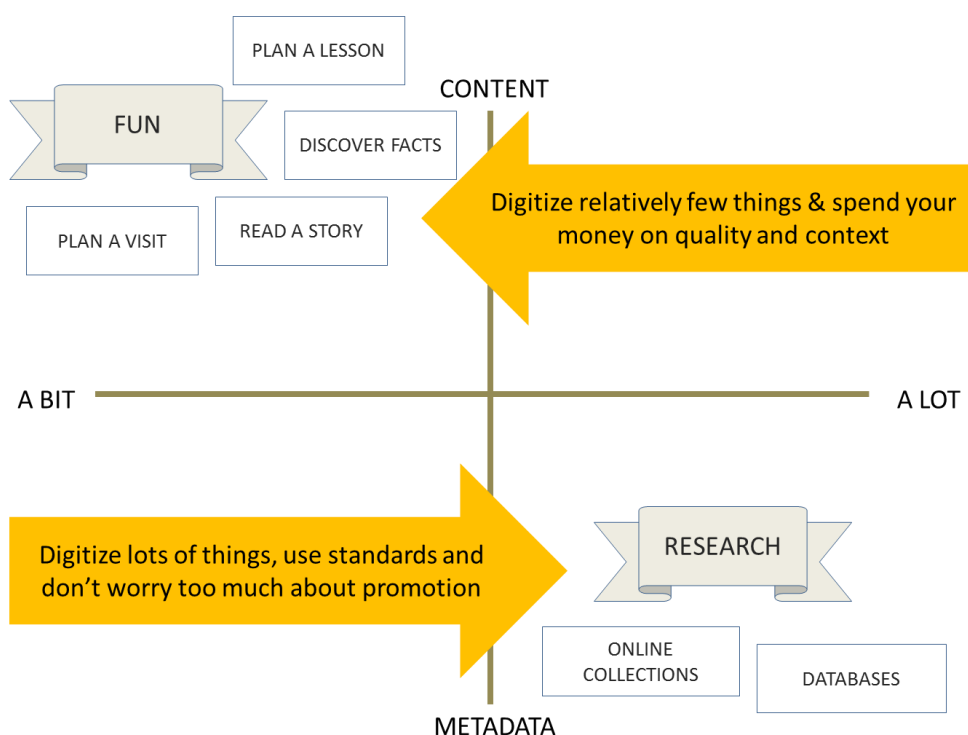
Striking the Balance

demonstrated how a relatively small number of objects could be used as a catalyst to open up a range of social, historical, industrial and economic themes for a diverse, cross-platform audience.

This theme has been expanded further by the Google Cultural Institute, most immediately through the *Google Art Project*²⁹ and the *Google Open Gallery*³⁰. In the words of one Google staffer responding to a question from the authors of this report:

“The problem of the future isn’t likely to be mass-digitisation. People are walking into galleries with 40-50 megapixel cameras on their phone. I think it will be mass-curation. How do you provide people with the tools to curate the vast quantity of digital output? That’s what we’re focusing on.”

The Collections Trust regularly uses the axis shown below to illustrate the difference between these approaches.



(Source: Collections Trust’s *Going Digital: A Practical Guide*)

As the diagram illustrates, different approaches satisfy very different use cases and presuppose different strategies for content development, licensing and promotion. Very often, the key differentiator will be the source of the investment and the audience engagement aims of the institution.

²⁹ <https://www.google.com/culturalinstitute/project/art-project>

³⁰ <https://www.google.com/opengallery/>

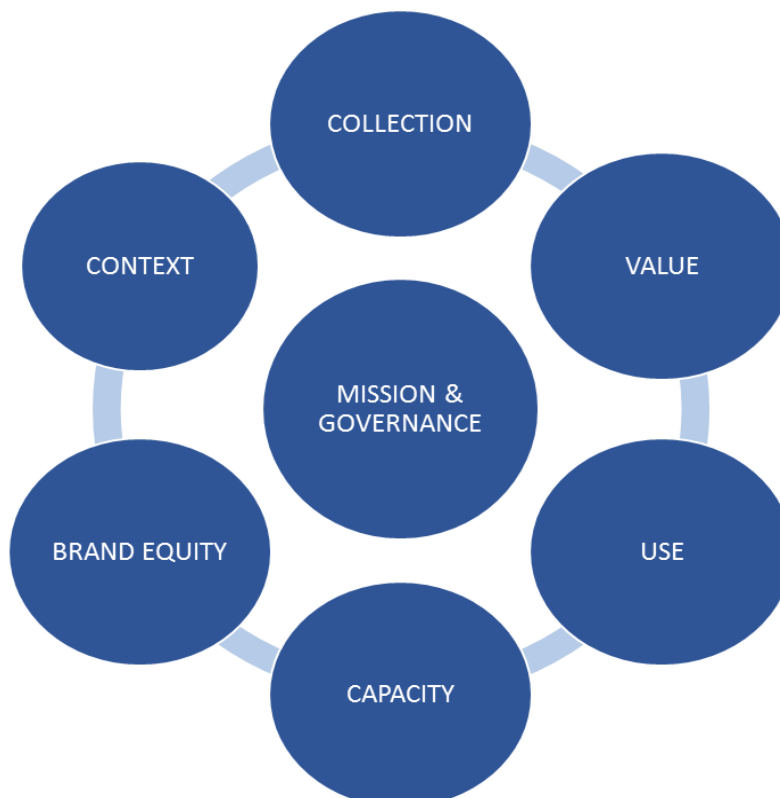
Key factors in decision-making

Following interviews and discussions with more than 40 professional colleagues working in NMDC member institutions and their counterparts in Europe and the US, it is possible to synthesise 7 sets of factors which NMDC member institutions are taking into consideration when developing policies which balance or reconcile public access and commercial reuse.

These are:

- The mission and governance of the organisation, which jointly define its public purpose.
- The equity in a museums' brand and its associated intangible/reputational value.
- The nature, content, scope, complexity and copyright status of the collections.
- Types of anticipated value and benefit for different audiences and stakeholders.
- The spectrum of creative, commercial and educational use which the institution supports.
- The associated costs and the resources and capacity available to the museum.
- The broader legal, economic and political environment.

All of these factors act on each other and collectively impact on the risk appetite and perceived cost/benefit ratio of different approaches, centred on the core question of the mission and public task of the institution as defined in its governing documents.



Mission and governance

The most central factor in developing policies which balance or reconcile public access and commercial reuse appears to be the extent to which a given approach is consistent with the public task as defined in the institution's mission statement and governing document.

Case study: Digitisation and open reuse at Beamish

The example of Beamish's policy to permit free and open access to digital images of their collections is an illustrative case of the impact of the core mission and purpose of the museum on policies for the reuse of digital content.

According to Kate Reeder, Head of Collections and Social History at Beamish :

"For many years, the policy was to charge for use of the photographic archive. Around 4 years ago, we made a decision to permit free reuse of the content. The simplest thing was to allow free use of the images under an open licence.

Since then, the images have been used by all sorts of companies for different applications. When we weighed up the loss of income [from image licensing] against the benefits of widespread reuse, it wasn't enough to justify charging."

According to Reeder, the benefits to Beamish of adopting an open access policy have been significant. In addition to developing relationships with the community, the policy has enabled the museum to build a strong relationship with the BBC, based on the reuse of their content.

As part of this approach, if a digital image from Beamish is reproduced in a publication, instead of charging, the museum requests two free copies of the end-product. In this way, it can not only support new research into the collections, but grow the museum's own library (and by association its knowledge of its collections) at the same time.

At the heart of this policy is the museum's mission - and the origins of its collections, 90% of which were donated by local communities. As Reeder says :

"If your collection is donated by people, we feel strongly that it should be free for people to use in return. Our approach is strongly linked to the 'personality' of the museum - we're representing the people of the North East, and without them we wouldn't have a museum. We want to be able to give it back to them as much as possible."

In the experience of Beamish at least, this open approach to sharing images of its collections has delivered value to their core business. Again, to quote Reeder:

"Local people coming in to do family history and research really appreciate it [free access to digital content], which enables us to develop relationships with key customers. The policy has driven value for our [the Museum's] business model - people engage with us more, bring their families, which all increases secondary spend".

The figures bear out this view that the 'open' approach to digital content at Beamish have driven increased value into the existing business model – both income and visitor figures have increased year-on-year since the policy was implemented.

Several contributors to this study highlighted a significant conflict or tension between the generally public-service ethos of the museum, library and archive workforce and the increasing pressure to operate in a more commercially-driven way. This is often reflected in internal (to the organisation) debates at which personal views and attitudes are at odds with the policy direction of the institution or its leadership.

Brand equity

For many of the organisations that participated in this study, the equity and value in the museum's brand and the extent to which this value can be protected and enhanced through different approaches to digital content is an important factor.

For Ben White, Head of Intellectual Property at the British Library, brand equity is a key consideration when evaluating the commercial potential and public benefit of prospective partnerships:

"We always have to consider compatibility with the British Library's brand, and the way in which our brand adds value to the partnership. Often, archival or library content isn't unique, so in merchandising terms, the brand can be a key differentiator. Even where we are developing secondary publisher agreements or digitisation programmes in which the content is the primary focus, we have to have due regard to the impact on the brand."

The nature of the collections

The nature, extent, scope, material composition and copyright status of the collections themselves form a significant factor for any museum when considering its policies for public access and commercial reuse.

Case study: Balancing the interests of rights holders and public access at Tate

In the case of Tate, the nature of the collections and the focus on developing strong working relationships with living artists and artist's estates frames the approach to creating, using and providing access to digital content.

According to Bernard Horrocks, Intellectual Property Manager at Tate:

"The organisation has succeeded in generating some 60-64% of its income through its commercial and fundraising activities, which include image licensing, venue hire, retail, catering, sponsorship and private fundraising. The emphasis is always on public access, but supported by commercial activity."

The image licensing business is a strong revenue stream in its own right at Tate, which enables us to build digitisation capacity and develop infrastructure."

Imaging of collections supports a wide range of different types of use and reuse within the Tate group itself – we have constant workstreams developing new digital content, including photography of newly-acquisitioned work, the archive digitisation project and content to support public programming”.

Like many of the organisations that participated in this study, Tate is in the process of evolving its strategy in relation to open access to digital content. The main collections include some 70,000 works of which approximately 50,000 are ‘copyright expired’. Tate has now announced the intention to provide online, screen-resolution access to these works under a Creative Commons licence.

As an initial exploratory move in this direction, Tate has provided access to works from the archive collection under a Creative Commons BY-NC-ND 3.0 (Unported) licence³¹ – a variant of the Creative Commons licence which permits non-commercial use of images of works from the archive subject to conditions and attribution. The ambition is to use the lessons learned from this initial exercise to inform the gradual introduction of more open licences across other elements of the collections. The terms and conditions associated with this approach highlight the careful balance which Tate is managing:

“The aim is to provide a simple, standardised way to grant copyright permission for the use of Tate’s intellectual property (its photography) and artists’ creative work for specific uses only, whilst safeguarding Tate’s own income from its IP in commercial contexts whilst ensuring artists, copyright holders and Tate get credit for their work and are protected by law.”

In the longer-term, Tate is in the process of assessing the optimal approach to the remaining 20,000 ‘in-copyright’ works in the collections and has made good progress in establishing licence agreements which will enable them to make images of these works available for non-commercial educational use.

According to Horrocks, the process of developing the Tate strategy in relation to these works has also provided a useful opportunity both to develop knowledge and understanding internally and to communicate with key stakeholders such as artists and their estates about their underlying rationale.

This fundamental principle of respect for the rights and interests of living artists also translates across to the approach of Tate Enterprises – the wholly-owned subsidiary of Tate through which the organisation operates its trading activities, including publishing, catering and retail.

According to Tate:

“Tate Enterprises shares Tate’s mission to promote public knowledge, understanding and enjoyment of British, modern and contemporary art. Its role is to maximise profits and extend the value of the Tate brand, to support Tate’s work and collection.”

³¹ <http://www.tate.org.uk/about/who-we-are/policies-and-procedures/website-terms-use/copyright-and-permissions/creative-commons>

The articulation of Tate Enterprises' vision³², in common with a number of the trading subsidiaries of NMDC member institutions, highlights the opportunity for commercial activity to enhance and extend the visitor experience of the collections:

"We will continue to bring the Tate brand and vision to life through books, products and services, encouraging customers to enjoy spending more money in new and different ways. Customers will see us as exciting, innovative, collaborative and responsive."

As Horrocks notes, while Tate Enterprises is responsible for developing its own commercial arrangements, it has an overarching aim to develop commercially-sustainable relationships which respect the needs and interests of rights holders, and which in turn enable it to make an ongoing contribution to the sustainability and growth of the institution.

It should be noted that the experience of exploring Creative Commons has highlighted the fact that rights holders and living artists themselves have been very supportive of approaches which promote greater access to and use of images of work in the collections while respecting their commercial interests.

The Tate experience is clearly highly sensitive to the specific nature of the material in its collections and its need to maintain positive relationships with living artists and their estates in order to continue to fulfil their mission.

³² <http://www.tate.org.uk/about/who-we-are/tate-structure-and-staff/tate-enterprises>

Case study: Developing the Natural History Museum Data Portal

Contrast the Tate approach, however, with that of the Natural History Museum, which recently announced³³ that it is seeking to provide access to an estimated 20 million digital collections records over the next 5 years relating to the 80m natural history specimen in its collections via an open access Data Portal.

Speaking about the initiative, Dr Vince Smith comments:

“We wanted to expose the Museum’s data to our peers in a way that allows them to easily discover and reuse it. At the moment there is no simple way of doing this, and there is an inconsistent pattern of licensing across our data. The Data Portal is here to fill that gap.

By publishing the collection data digitally we suddenly expose it to the world and there is a huge democratising potential in making that information accessible.”

The approach proposed for the Natural History Museum Data Portal is to provide the specimen data in an open format, licensed for free download and reuse and available via the open source CKAN platform which powers a wide range of open access initiatives.

The vision for the Data Portal is consistent with the Natural History Museum’s mission to use digital technologies and platforms to advance public understanding of and engagement with science. In the words of the recently-published *Strategy to 2020*³⁴:

“Our ambition is to redefine the Natural History Museum and its impact on society. We will take advantage of scientific and technological advances to make fundamental contributions to science and to inspire people to engage with a new age of discovery.”

Where the Tate strategy is geared around balancing the commercial reuse of its digital content with the interests of living artists, the Natural History Museum approach – informed by the nature of the material in its collections and its scientific mission – is to maximise access to and reuse of collections-based knowledge.

While Tate is clearly taking a balanced approach based on the strongly visual nature of the works in its collections, the Natural History Museum model is predicated on the informational content of the collections records.

While the Tate collections include a significant body of material in which living artists or their estates hold a primary interest in the intellectual property (IP) rights, the Natural History Museum is more likely to be able to assert ownership of the IP in its digitised records, and hence in a better position to adopt a more ‘permissive’ approach.

While Tate and the Natural History Museum represent two ‘edge cases’, variants of these differing priorities exist across the NMDC community – the approach to public access and commercial reuse has to be informed in part by the extent and specific nature of the collections, with particular regard to the risk profile represented by the copyright status of the material.

³³ <http://www.nhm.ac.uk/our-science/our-work/digital-museum/power-to-the-people.html>

³⁴ <http://www.nhm.ac.uk/content/dam/nhmwww/about-us/our-vision/NHM%20Strategy%20to%202020.pdf>

Anticipated value and benefit for audiences and stakeholders

Several of the organisations interviewed for this study raised concerns in relation to the lack of SMART targets for commercial income-generation from digital content. The prevailing ethos is one of ‘do your best and agree variable pricing models on a case-by-case basis’.

While pragmatic, there is a sense that this lack of ‘hard’ revenue targets is contributing to the lack of overall direction and policy, and makes it more difficult to articulate a case to close the ‘investment gap’ (see below). More generally (with notable exceptions such as Tate, V&A, the Natural History Museum and the National Gallery) there is a sense that in most cases the institution or its leadership have not provided a definitive decision about the type of value and impact they expect to see from their digitisation and digital content programmes.

Resources and capacity

All of the NDMC member institutions responding to this enquiry acknowledged that digitisation and rights clearance represent a significant cost to their organisation and that any policy balancing commercial reuse and public access has to account for these real -terms costs.

Many have embedded digitisation into core ongoing collections management activity, while others, such as the Natural History Museum are actively fundraising to support the upfront costs of content creation in order to ensure that the resulting content is freely and widely available for reuse.

Some, such as Beamish, are able to make use of volunteer capacity to offset the costs of content creation, which in turn supports their policy objective to make content freely available for reuse without charges. As Kate Reeder describes:

“We have an amazing team of volunteers who are digitising our collection. They came together by chance and we’re very lucky to have them. They are digitising the photographic archive and the ephemera collection (currently for internal use). They weren’t necessarily experienced before they started, but they have developed skills and experience on the job. We’ve also reached out to the local camera club to get them involved.”

Most of the contributors to this study raised upfront investment in capacity and infrastructure and the need for ongoing reinvestment as key factors in enabling their organisation to deliver on its policy. Many highlighted an ‘investment gap’ (addressed further below) in which the expectation of greater commercial activity is not necessarily matched by direct or indirect financial support.

Jamie Everitt, Collections Development Manager at Norfolk Museums Service notes:

“There’s an expectation that [our digital content] will perform financially, but to achieve this, the museum needs to invest in capacity, infrastructure and new content generation... We need to keep investing – if you’re going to keep people coming back then you need to keep the product fresh.”

Several respondents highlighted the impact of the converging issues of recruitment freezes and increased expectations of commercial outcomes from digital content. In most cases, without

additional capacity, the burden of delivering these outcomes is shouldered by existing staff, who feel pressured to accommodate commercial reuse alongside existing work such as collections management or audience development.

This question of the investment gap is explored further in the section below.

Broader economic, legal and political environment

None of the organisations involved in this study exist in a policy or operational vacuum. For everyone, the policy on public access and commercial reuse of digital content is susceptible to a range of broader environmental factors.

For many contributors to this study, the immediate priority is the relationship between the museum and its governing body, particularly where this is a local authority. This relationship can present a constraint on the work of the museum where it is part of a larger authority and therefore not able to act with autonomy when developing policies relating to digital content.

Again, in the case of Norfolk Museums Service, there is a sense that the authority expects the museums to make every effort to increase their self-generated income. The authority does not necessarily anticipate that this will yield significant sums of money, but there is a sense that the museums need to 'do their bit' by exploring all possible avenues for revenue generation.

More widely across the NMDC community, a number of the NMDC member institutions are receiving funding support from the Arts Council England as 'Major Partner Museums' (MPMs). Alongside the programme of work expected of MPMs, ACE has stipulated that they should develop a 'digital strategy' which incorporates their digital content and reuse activities.

Several contributors to this study felt that the broader impetus from ACE and HLF (who have required that digital outputs funded using their money should be made freely available for reuse) is encouraging their organisation to consider this balance between commercial reuse and public access in a more concerted way.

More widely again, many correspondents – particularly in the larger national museums, archives and libraries – cited changes in UK copyright legislation and the forthcoming *Public Sector Information Directive* as key external factors.

Several contributors felt that the position of the PSI Directive, if implemented fully under UK law, would be likely to have a significant impact on their commercial activities, particularly where these involve legacy agreements, differential pricing models, agreements based on periods of exclusivity or the leverage of brand equity.

Developing policies for access and reuse

In the course of this study, all participants were asked to reflect both on the establishment of institutional policies governing access to and reuse of digital content and the impact of the wider policy environment.

While several interviewees cited external factors such as the changing legal environment, policies within their governing body or the impetus toward open access provided by the Arts Council England and the Heritage Lottery Fund, almost none were able to identify a clear internal Policy relating to this issue.

In most cases, respondents either stated that there was no policy relating to access and reuse, that the policy was 'under review' or that the principle was established through a broader instrument such as a Strategic or Forward Plan.

Notable exceptions to this apparent policy gap include Tate, who have opted to develop their policy position 'in plain sight' by publishing it through the relevant pages on their website, and the British Library, which has established an internal Access & Reuse Working Group operating under clear guidelines with a cross-departmental mandate for decision-making (see case study below).

In almost all other cases, there is a sense that individuals within these institutions are 'feeling their way', making broadly ad-hoc decisions about permissions, pricing, licensing models and the opening up of specific collections under different frameworks.

Case study: The British Library's Access and Reuse Working Group

The British Library is the National library of the United Kingdom. In total, it is responsible for the care of and provision of access to some 170 million items ranging across many different formats and in many different languages.

According to Ben White, Head of Intellectual Property at the British Library;

“There is an organisational ethos which holds that we are primarily a public good organisation. We will commercialise where we believe that there is appropriate commercial value, but our aim is to provide access to as much content as possible for free reuse.”

To support and oversee the implementation of this approach, the British Library has established a cross-departmental *Access and Reuse Working Group*, chaired by Ben White, with an express remit to make decisions about the terms under which the library will make content accessible, whether directly or through its established partnerships with other providers.

Since 2012, the British Library has published its IP Policy³⁵, with the aim of clarifying for potential re-users of its digital and analogue content the terms under which specific actions are permitted. The objective of the policy is defined as:

“The aim of this policy is to support the Library's position as a world class library through the appropriate treatment of intellectual property rights in relation to its activities. This has become particularly important in the digital world, although best practice must apply to both analogue and digital content.

The policy will help manage risk and maximise value in the use of third party rights through providing clear frameworks for Library employees, freelancers/contractors, users, visitors and partners of the Library. It will ensure appropriate assertion and management of British Library rights.”

White notes that the British Library's work to clarify and communicate its position is partly in response to the prevailing developments in the wider environment:

“You can't separate the organisation from the wider environment – open access, the Public Sector Information Directive, the expectations of the public, changing ideas about the role of libraries all have an impact on our work and we have to be clear about how we will respond.”

As part of the operation of the *Access and Reuse Working Group*, the British Library has developed a decision-making matrix which enables it to evaluate proposals for new partnerships and content development initiatives on their own merits, while also having due regard to previous agreements both to promote continuity and to avoid the kinds of preferential or exclusive arrangements which the PSID is intended to preclude.

³⁵ http://www.bl.uk/aboutus/terms/copyright/bl_ip_policy.pdf

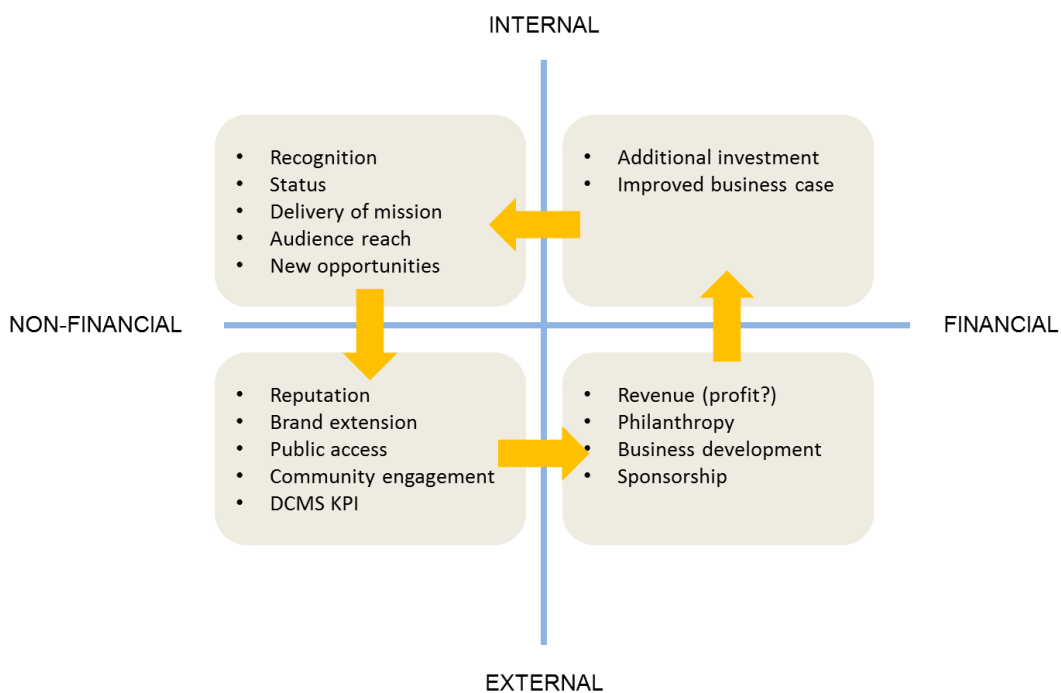
Understanding return on investment (ROI)

As the case studies and examples cited in this study illustrate, most NMDC member institutions are adopting a mixture of different approaches based on varying degrees of risk. These approaches are typified by a lack of overarching or definitive policies governing either public access to digital content or the commercial reuse thereof.

From the comments made by individual participants there is a general sense that outside the context of large-scale national institutions or very specific collections in which the commercial value is amplified by brand equity or rarity value, the prospects for income generation from digital content are very limited.

At the same time, there is an emerging recognition that indirect, even non-financial return-on-investment (such as improved reputation, brand equity or audience profile) may be of equal or greater value than direct financial income, with all of its associated costs.

The diagram below illustrates the different forms of ROI which participants in this study have identified as a result of opening up their digital content for either commercial reuse or open public access:



(Source: Collections Trust's 'Understanding ROI from digital content')

Striking the Balance

The key feature of this approach is to develop a policy in relation to public access and commercial re-use which promotes a positive loop from internal and intrinsic value to external and extrinsic value in order to drive an ongoing business case for future reinvestment.

Where this virtuous cycle of value-generation and reinvestment is broken, or where less 'tangible' forms of value-generation are not recognised within the organisation as having equal merit to financial income, the organisation is setting up the basis of an unsustainable approach.

Providing clarity about the different flows of value is of particular importance in the relationship between an institution and its trading or enterprise subsidiary. In several instances in this study, it became apparent that the trading subsidiary is as much a generator of secondary, non-financial value (audience development, visitor experience, brand extension) as it is of direct financial value.

Putting a commercial value on digital content

A key feature of the digital economy is the disruption of a correlation between price, cost and value. The Internet provides a dynamic platform for price normalisation, while also offering the potential for reducing distribution costs. In this context, the value of a given digital asset is strongly associated with the retail price it is able to attract in a commercial market.

This is perhaps one reason why brand equity plays a key differentiating role – where the value of a digital cultural asset is diminished because of its inherent replicability, it can be enhanced through its association with an authoritative or attractive cultural brand.

It is also important to acknowledge the dynamics whereby the commercial return on the licensing of digital assets is offset against the capital cost of publishing and promoting them. Many assets are subject to the 'long-tail' principle – any commercial return on their licensing and re-use may only be realised over a period of a decade or more. On the other hand, the capital cost of establishing digital publishing and distribution infrastructure are immediate within a given financial year or the lifetime of a project.

It is notoriously difficult to identify detailed information about the commercial return which museums realise from the publishing, licensing and distribution of their digital assets, and indeed it has proved so in the case of this study. There appear to be several connected causes for this:

- Except in some highly specific cases, such as that of the Wordsworth Trust, the financial return is generally quite low relative to the cost of provision;
- Costs of provision are commonly integrated into other museum budgets, such as staffing, IT and marketing, whereas commercial returns are generally assimilated into the overall returns of enterprise activity;
- The financial return is highly variable and particularly sensitive to fluctuations in the external market;
- There is a common reluctance to report relatively low direct revenues, often attributable to a fear that management will perceive the activity as not worth it (and hence that it may place jobs at risk);

- There is generally speaking a lack of a structured approach to recording, recognising and reporting secondary transactional value (such as increased footfall), such that costs are attributable directly whereas returns are not.

Based on figures shared in confidence with the authors of this study, there is no 'industry average' for anticipated financial return on licensing or other digital content-based activity. Price, volume of sales and hence the overall return on investment are all highly sensitive to a number of factors including:

- The rarity, uniqueness or culturally 'iconic' status of the material depicted;
- The relevance of the material to specific vertical markets, themes or trends;
- The quality of the images themselves;
- The value of the brand associated with the material.

In the case specifically of image licensing, museums have tended to adopt one or more of 3 potential approaches:

- To work in partnership with an established commercial picture library;
- To form a consortium or museum group and create jointly-owned picture licensing platforms or services;
- To develop specific picture licensing platforms or services within an individual museum's overall enterprise activity.

The relative merits of these models are explored further in the section below 'Models for Commercial Re-use'. In general terms, there is an inversely proportional relationship between the degree of control over picture licensing activity (and therefore the costs of provision) and the net return on the overall activity.

To provide some indicative numbers, one commercial picture library quotes a return to a medium-sized museum offering a collection of some 500-2000 'high-value' images in the region of £1,500 to £3,500 per year. On the other hand, many of their smaller museum customers can anticipate returns between £0 and £1000 per year, depending on external market factors.

On the other hand, one correspondent to this study stated that their museum's (self-run) image licensing activity generated a return of £15,000 in one financial year, but that taking into account their salary and associated running costs, the cost of provision was around £21,000. The average returns reported (directly from image licensing) clustered around the £5,000 to £20,000 range – although the correspondents freely admitted that these are broad estimates since the activity is not budgeted or costed separately.

The loss-making nature of some self-run museum image licensing businesses has been well documented elsewhere (as in the study of museum digitisation by Simon Tanner at Kings College). However, this has to be understood in the context that, for many, the generation of profit is not the primary motivation of or justification for the activity. In many cases, digitisation is primarily intended to support curatorial and collections management work, and any revenues generated are perceived to be a valuable re-investment in order to sustain an activity which the museum would in any case need to fund from its core resources.

Benefits of open access to digital content

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With the support of open licensing/open access communities such as the Open Knowledge Foundation, considerable work has been done to identify and articulate the actual and perceived benefits of licensing digital content for both commercial and non-commercial use.

Specific benefits cited by organisations such as the Rijksmuseum, the Staatens Museum of Art in Denmark and the Getty in the US include:

- Improved public awareness of content (PR, reputation & brand equity)
- Improved discoverability of content (re-use & promotional value)
- Improved opportunities for audience participation (audience development)
- Secondary improvements in quality of content (internal use value)

In addition to these 'organisational' benefits, advocates of open licensing cite broader societal benefits including:

- Stimulating innovation & creativity (economic value)
- Increased educational use (delivering on mission)
- Increased use for research/scholarship (utility & economic value)
- Inter-cultural dialogue and understanding (utility value)

Many advocates extend these principles to highlight the compatibility between the museum's mission and responsibilities as a charity or educational institution and embracing methodologies which maximise the potential for public engagement with its content. As one senior museum manager notes:

"There are many other types of return that the museum gets [from opening up free access to digital content], including raising our profile and being seen to do the right thing with publicly-funded information. Of course, we should retain our commercial activities such as exhibitions, retail and publications - the money subsidises the creation of more content for the museum."

While the arguments for direct and indirect ROI from 'open' access to digital content from museums is compelling, there is a critical lack of quantifiable evidence (in spite of considerable efforts to develop such an evidence base) to enable museums to make an informed decision about the relative merits of these approaches and their associated risks.

Case study: The integration of V&A Enterprises and the V&A

V&A Enterprises Ltd is a wholly-owned subsidiary of the V&A. V&A Enterprises manages all of the V&A commercial activities and all profits generated are reverted to the V&A at the end of the financial year.

By any metric, V&A Enterprises has been a tremendously successful trading subsidiary. It provides a net contribution of some £2m per annum back into the core budgets of the museum, with ambitious targets to increase this in the coming years as other sources of grant-in-aid diminish. It reports higher value sales per retail customer than other comparable UK museum brands.

The scope of V&A Enterprises activity has expanded in recent years to include “publishing, brand licensing, image licensing, product design, commissions and collaborations, digital partnerships, online shopping, consumer marketing and press, off-site and pop-up branches, catalogue and retail, both business-to-business and business-to-customer.”³⁶

Prior to 2014, V&A Enterprises operated as an entirely separate company with its own Directorate. Following a restructuring and refocusing of its activities, it has now been integrated back into the museum, providing the basis of a more joined-up and coordinated activity.

Lauren Sizeland, Director of Business Development and Licensing at the V&A highlights the mutual benefit which V&A and its commercial division derive from their relationship;

“Through our business and commercial planning, we are able to identify key themes and respond to High Street trends. At the same time, we can influence and be influenced by the public programme. In developing commercial partnerships, we are able to play on both the strength of the brand and the strength of the collections.

The breadth of the collections has enabled us to develop relationships with manufacturers across many different product categories – from wallpaper and furnishing fabrics, to ceramic tiles, tabletop products, apparel, accessories, jewellery and so on.”

V&A Enterprises is able to act as a ‘client’ of the collection – making use of existing photography and commissioning new content where necessary to support new product lines.

As Sizeland notes, the V&A Enterprises doesn’t have a separate policy relating to public access and commercial reuse, but its aims and decision-making framework are encompassed within the current Strategic Plan, which runs to 2017. The overarching aim of V&A Enterprises, is to support the V&A in making as much of the collection accessible to the public as possible.

³⁶ http://www.vam.ac.uk/_data/assets/pdf_file/0004/234652/bot_minutes_may_2013.pdf

Case study: Developing practical approaches at the Royal Albert Memorial Museum and Art Gallery

The Royal Albert Memorial Museum and Art Gallery (RAMM) is an award-winning museum service based in Exeter. In addition to providing a thriving City Council service for Exeter, RAMM receives funding as a Major Partner Museum from the Arts Council England and is a board member (with other regional MPMs and agencies) for the South West Museum Development Programme.

Like many of the museums involved in this study, RAMM is managing its way through a period of external uncertainty with the aim of emerging as a thriving and sustainable service. This context forms the backdrop against which the museum is developing its position in relation to public access to and commercial reuse of its digital content.

RAMM worked with Digital Marketing Agency SUMO to develop a common set of aspirations in relation to their MPM digital programmes. According to Digital Media Officer Rick Lawrence, this *“provided an aspirational set of goals, which include the objective of using the ways our customers communicate and like to receive information to interact with them and provide them with the information they’re looking for.”*

Developing a joined-up approach to the use of digital content at RAMM has involved a process of identifying and articulating the different types of value that the museum is delivering for their different stakeholders. As Lawrence notes,

“The museum is part of the ‘economy’ section of Exeter Council, and we have to be very clear about the value that increasing museum visits bring to Exeter. This means that the secondary benefits we generate in terms of tourism and the local economy are acknowledged and quantified.”

Both senior management and councillors need to see the museum is delivering impact and value for Exeter. So we provide key performance indicators to the Authority based on data and analytics.”

In this context, RAMM makes extensive use of data to analyse the impact of its approach and adjust accordingly. A key development has been to adopt an integrated approach to online and offline promotions and retail – an effort that has also highlighted the need to invest in infrastructure to receive payments and process orders.

RAMM has succeeded in generating commercial revenues from image licensing in partnership with the Bridgeman Art Library. Lawrence notes,

“We do license images through the Bridgeman, which is very successful because it enables us to outsource the process at zero marginal cost. This kind of solution is very effective for museums because it limits the demand on capacity and workload.”

We are now seeking to expand on this offer by integrating a ‘Buy this print’ offer alongside online collections information, such as that available through the South West Collections Explorer website.”

Models of commercial reuse

There are many different approaches to unlocking the commercial value in the digital content produced by NMDC member institutions. Some of these approaches involve the use of the material by the institution itself to support the development of new products, merchandise, income-generating activities and services. Others involve collaboration or partnership with 3rd parties who can deliver value at different points along the commercial value chain.

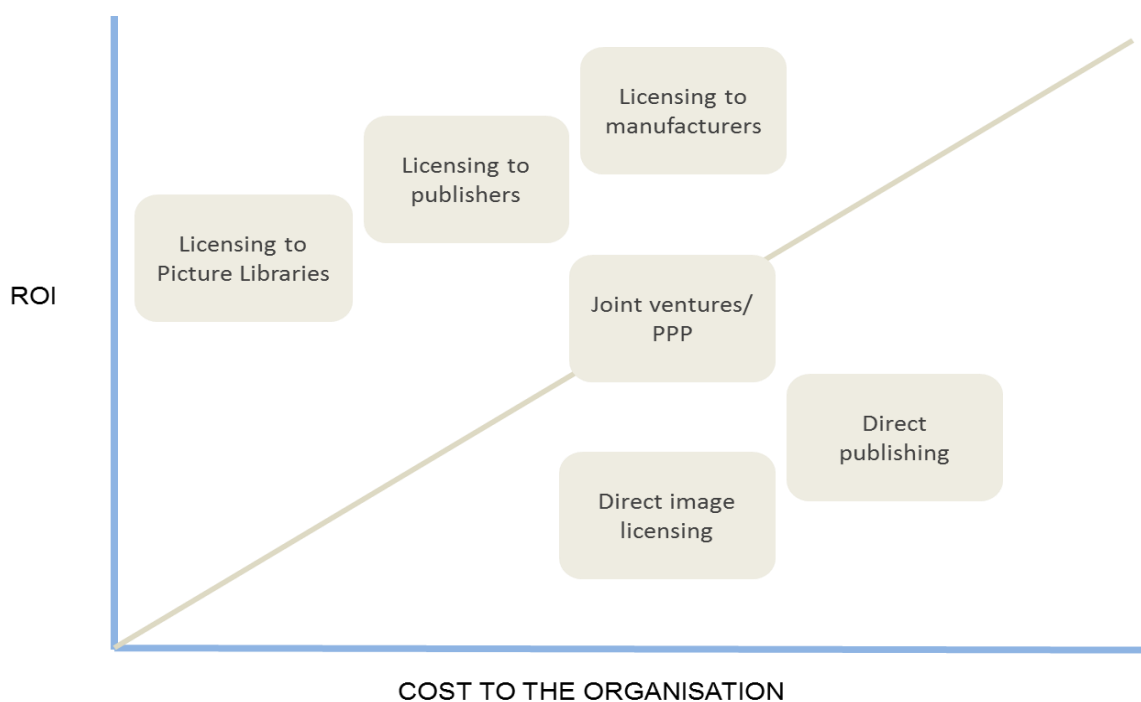
All of the successful models of commercial income generation that have been shared in the course of this study are highly context-sensitive. They are specific to the institution, the brand, the collection and a variety of other factors such as the location and audience profile.

‘Successful’ in this context means that the commercial activity is at least cost-neutral (in that it generates sufficient income to cover its own costs), repeatable and to some extent predictable in terms of future development.

Understanding different commercial models

Because every commercial model is specific to its context, it is difficult to generalise to models that would be applicable across a broader range of museums. From the information provided by participating organisations, we can draw the following very broad distinctions between different types of ‘commercial’ reuse of content.

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In general terms, the aim of any commercially-sustainable activity should be to minimise costs and maximise return (ideally in the form of direct revenues). The model above draws a distinction between the commercial activities which the museum, library or archive delivers direct to the consumer and those which are essentially predicated on business-to-business partnerships.

In the case of direct image licensing and direct publishing, the upfront costs to the organisation are relatively high, since they not only need to furnish the content but also invest in infrastructure, process, transaction, fulfilment etc.

In the case of licensing digital content to third parties such as image libraries, manufacturers, the upfront costs of developing the content are still significant, but the institution is absolved of the associated costs of marketing, distribution, fulfilment and customer support. It should be emphasised that while the overall ROI on third-party activities may be higher (because they may have access to better channels for distribution or external markets), it is likely that the *net return* to the institution will be significantly lower since they can expect to receive a lesser share of the proceeds in recognition of their reduced risk.

It should also be noted that the above generalities are highly sensitive to brand and status – in the case of large-scale national institutions benefitting from a global brand profile and established infrastructure and fulfilment channels which represent assumed costs, the model may be inverted in the sense that it may be more profitable to ‘in-source’ commercial activity than to share the proceeds with a third party.

In many cases, however, the most productive and/or sustainable commercial activities identified in the course of this study are those such as the relationship between the Wordsworth Trust and Adam Matthews Digital or the British Library and Proquest, which essentially represent a joint venture.

In these joint ventures or 'PPP-lite' initiatives, the risk and upfront costs may be shared between the partners or allocated preferentially to one partner on the expectation that the proceeds will be shared on a dividend basis.

Again, it should be noted that these relationships are strongly sensitive to brand, status and the particular nature of the collection. Jeff Cowton of the Wordsworth Trust acknowledges that the basis of this relationship is the uniquely valuable manuscript collection, which offers a clear value proposition in terms of commercial licensing to research libraries and academic institutions.

Further, a commercial joint venture or partnership may yield an open access outcome. In the case of the British Library, the book digitisation project with Microsoft yielded a body of images which the library was later able to make freely available for re-use through Flickr (gaining significant benefits in terms of media profile and reputation) - <https://www.flickr.com/photos/britishlibrary>.

Profit versus reinvestment

Perhaps the most difficult aspect of this study has been the lack of generally-available information about both the costs and the revenue model associated with the commercial activities of NMDC member institutions.

In general terms, there tends to be a disconnect between the accounting of associated costs (including fixed and variable costs, staffing, capital investment and so on) and the accounting of resulting revenues – with some degree of cross-subsidy of costs from existing core or programme budgets.

This dissociation of cost and return makes it very difficult to assess whether the specific commercial activities are 'successful' in the terms described above. Even where the costs and returns are accounted separately – as in the case of wholly-owned or subsidiary trading operations, for example – analysis is impeded by the difficulty of quantifying in reasonable terms the financial value of the less tangible forms of return, such as enhanced brand equity or reputation.

While this approach to commercial activity (treating it as an embedded part of the whole activity rather than a distinctly accounted one) is pragmatic, there is some evidence from the participants in this study that it contributes to the lack of clarity around policy and targets which in turn undermines the case for reinvestment.

Put simply, if the accounting of the flow of income and expenditure does not permit the museum to track the direct and indirect return on its investment in supporting commercial reuse, it becomes difficult to identify whether that activity is performing well or badly, and therefore to justify decisions either to promote or withdraw it on the basis of the available evidence.

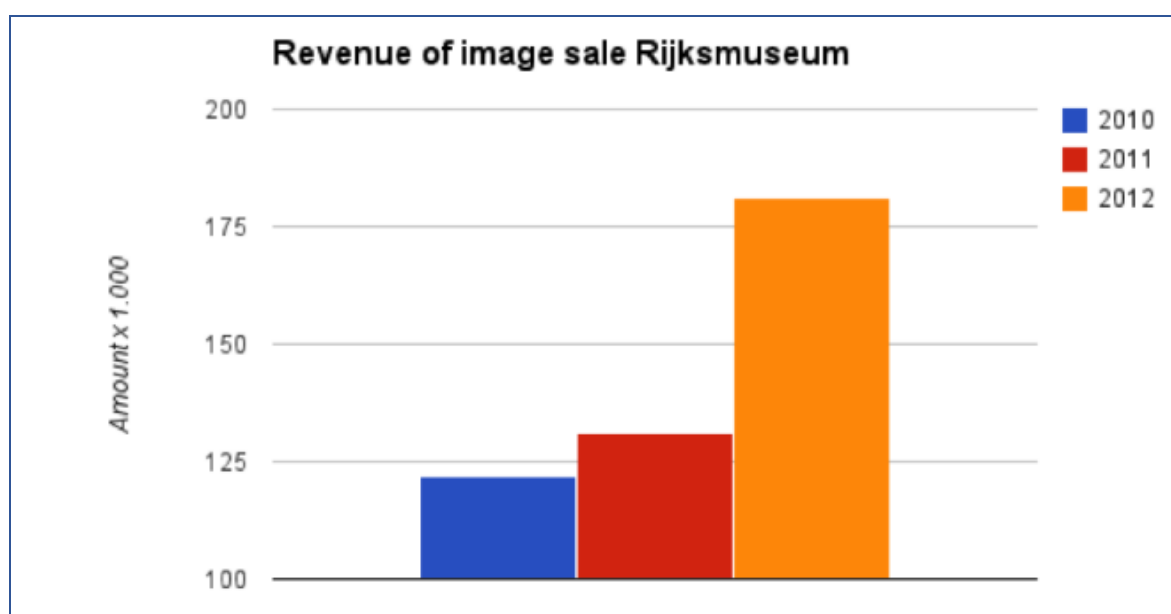
Direct income or driving value to existing income streams

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Many times during the course of this study, participants have expressed the view that the return on investment from open access in terms of increased revenues through existing business channels is greater than the actual or potential return to be had from image licensing.

Much of the evidence in support of this view is anecdotal. We know, for example, from previously published reports and discussions that in the wake of the *Rijksstudio* launch, image licensing revenues went down from approximately EUR4k per month to somewhere between EUR1k-1.5k per month, but that it was costing an estimated EUR10k to service these requests so that the actual decline in demand represented a net saving on the underlying supporting costs.

It should also be noted that the *Rijksstudio* model encompassed both open access to high-quality images and the commercial licensing of even higher-quality ones. The chart below, taken from the report *Democratising the Rijksmuseum* by Joris Pekel, indicates that in 2012, the same year in which the *Rijksstudio* was launched, image licensing revenues at the museums *increased* significantly – although it is important to note that there is insufficient evidence to support a direct causal link.



The museum as a client of its own content

One complex interaction revealed in the course of this study is the extent to which a museum acts as a client of its own digital content. This phenomenon was noted by Simon Tanner in his article *Visionary Thinking* (Museum Practice, spring 2006)³⁷:

“It should be emphasised that the largest user of the image service will be the host museum itself. Museums create images and use them for many purposes: recording an object for collections management, for publicity material and publications and other uses too numerous to list. The image service must serve its internal market well and constantly define itself in relation to the museum's cost mission to show its true value.”

³⁷ http://www.kdcs.kcl.ac.uk/fileadmin/documents/pubs/Visionary_Thinking_Article.pdf

Museum manager frequently make the mistake of thinking their image services are about raising much-needed revenue to offset costs, but they forget that these services exist primarily because the museum itself needs them.”

This model of digitisation and digital content creation as a service which supports the public mission and curatorial task of the museum further complicates the evaluation of the ‘commerciality’ of its content-based activities. If the return from image licensing is marginal, but it represents the sole source through which funds can be reinvested in further imaging to support collections management, there is a case to be made for it as a valuable top-up of an effectively subsidised function within the museum.

Variable pricing models

It should be noted that almost all of the participating organisations who retained a commercial licensing model for digital content reported a habitual practice of varying licensing terms and pricing on an ad-hoc or case-by-case basis.

Many felt that this variability was a strength – enabling them to retain less tangible forms of value such as relationships with academics or goodwill with external communities. However, there is also a sense that it contributes both to a lack of clarity on the part of the customer (because it appears to offer terms that are less favourable to some than others) and a lack of confidence in the overall business model – if the staff involved are not confident in or comfortable with the application of the pricing model, then the activity is unlikely to be sustainable in purely commercial terms.

Case study: Developing a balanced approach at the Wordsworth Trust

“This question [of reconciling public access and commercialisation] applies to everything the museum does, not just digital content,” Jeff Cowton, Curator at the Wordsworth Trust observes. He goes on to say:

“This is the critical balance which we manage every day – between our need as a charity to provide free access for public benefit and our other need as a charity to make the most of our assets to survive.”

The Wordsworth Trust is an independent charity established in 1891 under two complementary charitable objectives:

- To provide a living memorial to William Wordsworth and his contemporaries by looking after Dove Cottage and its environs, by preserving and developing a permanent collection.
- To advance public knowledge and enjoyment of the works of Wordsworth and the literature and culture of the Romantic period (c.1750–1850) through a wide range of public activities.

The Wordsworth Trust is responsible for a collection that comprises some 65,000 items. At the heart of this collection are the manuscripts which Wordsworth’s descendants gave to the Trust in 1935 to secure their ongoing association with the Cottage.

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In developing the Trust's approach to public access to the collection, the museum seeks to avoid excluding people "even if we need to generate income to develop our work, we have to cater to people who either can't or don't want to afford to pay".

Since 2010, the Wordsworth Trust has developed an innovative partnership with US publisher Adam Matthews Digital (an independent subsidiary of the Sage group of companies) which has enabled them to open up access to their collections online while generating a repeat income.

Under this partnership, Adam Matthews Digital digitised the Trust's manuscripts collection, generating around 57,000 high-resolution images. As the commercial partner Adam Matthews Digital retains the right to license these images to research libraries around the world, in return for which they revert a proportion of the licence fees back to the Wordsworth Trust.

Under the terms of this agreement, the Wordsworth Trust is no able to use more than 10% of the resulting images online at any one time (until the expiration of the agreement after 10 years), but the partnership has enabled them to generate both free public access to the resources and also a small additional income from their own licensing activities.

The Wordsworth Trust have explored a wide range of other models of commercial income generation, including partnerships and licensing arrangements with commercial image libraries. However, they found the return on these activities to be marginal, even in the case of higher-profile works.

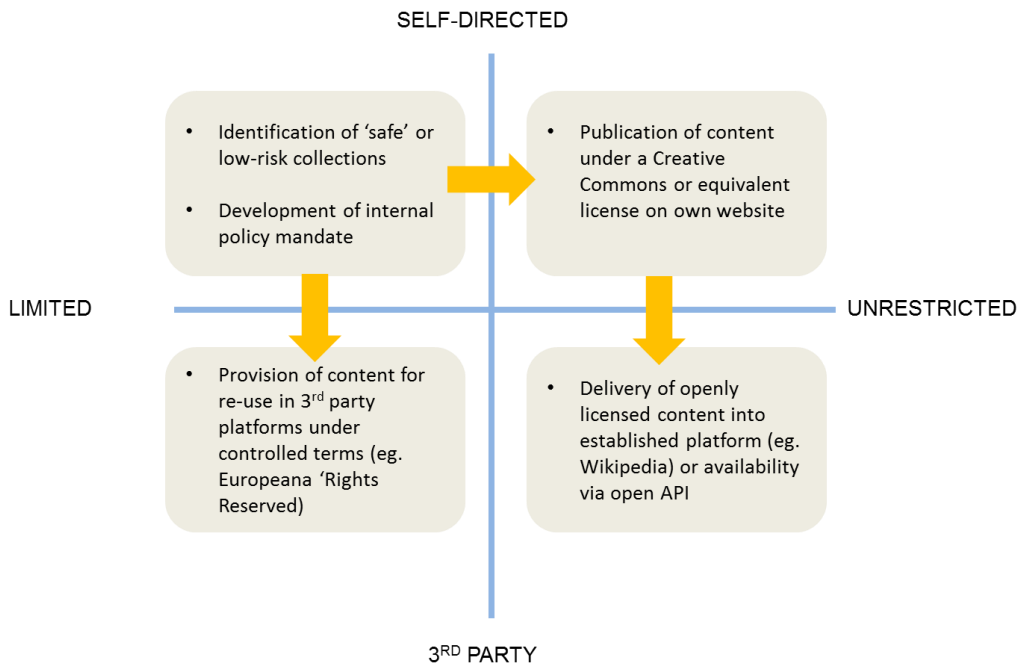
They have discovered that the reputational impact of charging individuals and authors for permission to reproduce digital content can be disproportionate to the financial value of the licence. In many cases, the digital assets are treated effectively as the basis of a barter exchange, in which the museum will receive some other non-financial benefit in return for providing a licence for reuse.

Models of open access

As the case studies and examples in this report indicate, there is no single model of 'going open' in museums, archives and libraries. Instead, there are a variety of methodologies and approaches, depending on the organisation's intentions, its appetite for risk and its technical capabilities.

The diagram below attempts to map these different 'degrees' of open access on a matrix between:

- Internal or self-directed actions and external actions which involve a third party or intermediary.
- Actions which represent a limited opening up of content for re-use and those which effectively represent a full withdrawal of constraints over re-use.



(Source: Collections Trust's *Going Digital: A Practical Guide*)

When developing the overarching policies for a given institution, it may be useful to consider where on this matrix the organisation is currently, and the stages through which it intends to develop.

Many NMDC member institutions have begun their investigations of the risk and opportunities of 'going open' with their digital content in the top-left quadrant – effectively identifying lower-risk collections and developing initial policy discussions around sharing these as a relatively safe means of testing the waters.

A number of NMDC institutions, such as Tate, the Science Museum and the British Museum have begun to investigate both the provision of unrestricted (or 'less restricted') access to some digital content via their own websites. An example would be the British Museum's *Collections Online* search interface (<http://collection.britishmuseum.org>) which provides access to structured metadata drawn from collections records under a specifically-designed licence. While this represents a 'fully open' dataset in that it can be queried and used by third parties to develop applications, the dataset itself remains limited in the sense that it does not include full resolution images of collections items.

In addition, a number of NMDC member institutions have begun to explore the use of third-party platforms such as Flickr and Europeana to open up access to collections content, including high-quality images under more permissive, but still not fully 'open' (in the 'strong' definition) licences. Perhaps the least 'open' variant of this third-party approach is participation in the Google Art

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Project which, while conferring significant benefits to the participating museums in terms of profile and reach, nevertheless represents a closed licensing model.

Fewer institutions have begun to venture into the bottom-right quadrant, which involves providing 'strong' open access to digital content either directly via an open API ('application programme interface', a software tool which allows third parties to request and receive content automatically over the Internet) or by sharing directly with 'fully open' platforms such as Wikimedia Commons.

An example of the latter would be the recent move by York Museums Trust and Derby Museums to share large quantities of their digital content with Wikipedia under an open Creative Commons licence which permits both commercial and non-commercial reuse.

In practice, most NMDC institutions involved in this study find themselves somewhere along the continuum from cautious introspection to initial exploration under limited terms and within controlled environments and partnerships. While this is a concern to strong 'open access' advocates – many of whom feel that any restriction on the access to or usage of publicly-funded digital content represents a form of enclosure – it generally forms part of a risk-managed strategy if not an overt policy.

Case study: Going open at York Museums Trust

York Museums Trust was formed in 2002 as an independent trust to manage a number of historic venues, attractions and museums on behalf of York City Council. Funded since 2012 as a Major Partner Museum by the Arts Council England, the Trust has a responsibility for supporting Museum Development in the wider region.

York Museums Trust has a strong track-record in digital innovation. Its early work included investing in the development of documentation and information systems and the digitisation of its collections, which enabled it to develop a strong base of high-quality content to reinforce and extend the work of the physical sites.

This work enabled the Trust to be an active participant in the Google Art Project, opening up access to collections-based content for a broad and general audience.

More recently, the Trust hosted Pat Hadley as a Wikimedian-in-Residence, which enabled them to develop both their internal understanding of open access and licensing and their relationship with the Wikimedia Foundation. As part of this, the museum has now provided a body of digital resources for inclusion in Wikimedia Commons under a fully open CC licence which permits commercial and non-commercial re-use, subject to attribution and the inheritance of conditions to products which make use of the content (sharealike).

Speaking about the initiative, Chief Operating Officer at York Museums Trust Mike Woodward comments:

"The Trust developed a more open policy [toward reuse of digital content] some time ago, but this wasn't rolled out as strongly as it could have been under previous Strategic Plans. With the development of the Forward Plan 2012-18, it was possible to establish a clear policy impetus to open up more of our content."

The Trust has a strong in-principle commitment to open data and open content licensing – we have adopted the Wikipedia approach of providing free access to our content under an attribution/sharealike licence.”

For Woodward, this step is a natural consequence of the Trust’s status as a charity:

“It is the core mission of the Trust to maximise access to the collection. If you can do it for free, and give it to as many people as possible, that’s compatible with our mission. There’s no marginal cost to sharing content in this way, and it is ultimately what we are there for.”

Woodward is clear that the Trust has only been able to take this step with confidence due to the personal vision of the Director and the legacy of preparatory work and best practice which preceded it:

“It’s is personal to the Director. You have to be clear that this is our core purpose and be bold. There is a lot of fear – particularly about loss of revenue. In practice we were not generating sufficient income from image licensing before we took this step so this loss is more perceived than real.

We could only take this step because of a legacy of tight control of copyright. All of our documentation is in the Adlib system now and available online, including updated copyright information, which enables us to be more confident in the status of our collections.”

Woodward is also clear about the benefit to the Trust of opening up their collections for reuse and encourages other NMDC member institutions to follow their example:

“Our approach to open access has driven visits and delivered value in terms of admission fees. Ultimately the strength of open access is that it drives more value towards our traditional business model.

There’s zero marginal cost to sharing your digital content openly, the collections are public assets and the benefits are significant. I would encourage anyone to go down the same road we have.”

The investment gap

Many of the NMDC member institutions addressed in this study cited a critical gap between the desire to balance public access and commercial reuse and the lack of strategic or ongoing investment to support either.

In the case of museums seeking more aggressively to monetise collections, staff felt that there was a need to invest in capacity, infrastructure and promotion – without which their ambitions would not be achievable.

Moreover, most staff tasked with generating increased financial revenues found themselves operating largely without a clearly-articulated policy mandate, without distinct budget and without clear targets against which performance could be measured.

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In the case of museums pushing for greater use of open licences and the delivery of open content to promote public access and engagement, there was a similar lack of strategic mandate or clarity (such as decisions made at director level but not acknowledged or fully understood at board or trustee level).

Similarly, 'going open' is not free –it requires investment in data cleaning, legal advice and the development of appropriate platforms and infrastructures through which the data is to be delivered.

In both cases, this investment gap is particularly acute where the activity is divorced from the core mission or purpose of the institution. If the museum is seeking to commercialise the equity in its digital content without connecting this back to the core mission or purpose, there is a risk that the activity will be seen to be at odds with the public task.

Conversely, if the museum is seeking to provide open access to digital content, but has not articulated this in terms of the delivery of the core mission or purpose, the decision is highly susceptible to change, leaving staff concerned that they will be left responsible for any negative consequences.

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