

MIDS NETWORK
PROTOCOLS FOR DOCUMENT SUPPLY
May 2020

General principles

ILDS services should be operated with the following in mind:

- Striving for excellent customer service
- Optimal use of NHS owned resources
- Cost effective, e.g. using free sources before costed ones, but also taking into account staff time
- Digital by default
- Streamlined, making use of shared and interoperable systems where possible
- The CLA Licence and copyright legislation
- Data protection legislation

Data protection

Data protection principles, especially the General Data Protection Regulations, must be observed when processing personal data for ILDS purposes. Check with your organisation's lead for guidance on data protection to be sure that you are abiding by the principles.

Searching for Items

Taking into account the general principles above, the choice of sources may be as follows, although the order in which to approach them will vary according to local arrangements.

When approaching specific libraries in your own network or others, take note of any temporarily unable to supply.

1. NICE A-Z list of journals or your local library management system/discovery system.
2. Any local collaborative network.
3. Other collaborative networks:
 - a. Other geography-based collaborative networks – details of the INC scheme. Check this webpage to be sure that the library from which you are requesting is participating in the INC scheme.
 - b. Subscription-based collaborative networks such as NULJ and PLCS.
4. HealthILL6 and LIS-ILL7 mailing lists.
5. Costed services for Library Privilege such as the BL.
6. Costed services for Copyright Fee Paid such as Reprints Desk, the BL, and the Royal Society of Medicine (Reprints Desk are able to supply e-pubs).

Note: CFP articles should only be obtained when two conditions (i.e. not available in the NHS and needed for more than private study/non-commercial research) are met. Copyright fee paid articles can be shared in the same way as articles supplied under the CLA licence.

CFP articles are free if already purchased by the NHS; otherwise they cost £33 each. Ask yourself whether it's urgent enough that you can't wait until it becomes available within existing NHS subscriptions.

Do not use LIS-MEDICAL. Use general mailing lists only if permitted on those lists, and only as a last resort.

When selecting locations within networks, where all else is equal, select locations equitably and not always 'the first in the list'.

General Information and Responsibilities to the Network

Introduction

This protocol is intended to encourage efficient document supply between NHS and other participating libraries in the Midlands. It outlines standards and responsibilities for both requesting and supplying libraries. Please ensure that all staff dealing with document supply are familiar with its contents. This guidance will be reviewed annually and new versions issued when necessary.

MIDS is one of six inter-library loan networks in the NHS in England. The others are:

- EDEN East of England
- LENDS London
- PANDDA North
- SENDS South East
- SWIMS South and South West

Being a member of the Inter-Network Collaboration (INC) scheme requires reciprocal document supply and inter-lending between the networks in the scheme.

MIDS libraries may request articles from other INC libraries and conversely will need to supply articles for requests received from these libraries.

See <https://kfh.libraryservices.nhs.uk/resourcediscovery/inter-lending-and-document-supply-ids/> for more information about INC.

Maintenance of holdings and library details

Serials listed on LAWMUNION should be inclusive of all print titles held (except where prior agreement has been reached for selected holdings to be included) giving ISSNs, volume numbers and years. Titles should be presented as discrete runs. When a title change occurs a new entry should be created with a note indicating the previous title, and the entry for the superseded title should carry a note of the new title.

Electronic journal subscriptions should be included where licences permit document supply to other libraries. If large numbers of electronic journals are subscribed to in bundles it might be considered including a selection of these (perhaps those most useful).

The following eJournal collections have been added to LAWMUNION:

- CINAHL Complete
- CINAHL Plus with Fulltext
- CINAHL with Fulltext
- Elsevier ClinicalKey
- Emerald Health and Social Care Collection
- Internurse
- LWW High Impact Collection
- MAH Complete
- Medline Complete
- Wiley Medical and Nursing Collection

Holdings should be updated as required but should normally be updated at least annually to reflect subscription changes. (Include additional titles, cancelled subscriptions or sets withdrawn from stock).

eJournal collections will be updated centrally each quarter.

Library details should be kept up to date on the Directory of Libraries (<http://www.LAWMUNION.nhs.uk/libraries.aspx>) including address, telephone numbers and email address, staffed open times, charging policy changes, etc.

Temporary Closure Status

If circumstances arise (e.g. ongoing staff shortages, major stock relocation) where a library is unable to supply documents and interlibrary loans for a period:

- Change your library status on LAWMUNION to red-"Do Not Use".
This can be found under a library's Admin function and "Edit Library Details". Change the ILL Availability Code to Don't Use'.
- An e-mail should also be sent to the LAWMUNION mailing list alerting libraries to the restrictions.

If you can only supply articles from electronic journals only:

- Change your library status on LAWMUNION to pink "Electronic Journals Only".
This can be found under a library's Admin function and "Edit Library Details". Change the ILL Availability Code to 'Electronic Journals only'.
- Your journal holdings entries will be highlighted in pink. It will not affect your eJournal collections.
- If you have added electronic ejournal holdings outside of these collections, please add Available in the Lacks field.
- An e-mail should also be sent to the LAWMUNION mailing list alerting libraries to the restrictions.

Response Time

Under normal circumstances member libraries will respond to requests within 24 hours of receipt or next working day. Libraries that are not adequately staffed each day will respond within five working days.

Print Journal Disposal

If you are considering withdrawing a print or ejournal from stock, first notify other libraries within the MIDS network via the LAWMUNION mailing list.

Copyright Information

Libraries may make copies under the terms of the both the CLA Licence for the NHS in England and the Library Privilege terms of the 1988 Copyright Act, which was amended in 2014. Publisher licences also usually permit making limited copies from e-resources for licensed users, and sometimes printed copies for ILLs.

The CLA Licence

This Licence allows 'NHS authorised persons' to make and receive photocopies and scanned copies of most printed and many digital copyright works which are owned by the NHS (or by a university library which is contracted to provide services to NHS staff), regardless of the country of publication, although there are some exclusions.

The best way to find out which of your library's print and online titles can be copied under the CLA Licence is via the CLA's Title Search, available online or as a downloadable app at: <http://permissions.cla.co.uk/titlesearch.html> (select the Public Administration Licence option).

If a journal or other copyright work has been donated to your library, it can be regarded as being owned by the NHS.

“NHS authorised persons” are all those working for and contracted by the NHS and organisations established under the Health & Social Care Act 2012 (including public health staff employed by local authorities), as well as university students on clinical placement, university staff whilst contracted to work for the NHS, and non-NHS librarians who provide services to the NHS staff. From April 2015, authorised persons also include staff working for NHS ‘collaboration partners’ i.e. organisations which have a business relationship with the NHS, and which have their own CLA Licence.

Under the CLA Licence:

- You may copy two articles from an issue of a journal (or several articles from an issue if on the same theme), or up to one chapter or 5% of a book
- Multiple copies and ‘copies of copies’ are allowed
- Copyright declarations are not needed
- Scanned copies may be stored on an intranet for up to 30 days, but otherwise may only be stored digitally for ‘workgroup’ or individual use
- Only single paper copies may be made for patients and carers

The Copyright Act and Library Privilege

Where copies cannot be supplied under the CLA Licence (e.g. because the end-user or the item being copied is not covered by the CLA Licence), they may still be made under the ‘Library Privilege’ terms of the Copyright Act.

From 2014, library staff may make Library Privilege copies for other not-for-profit libraries from any copyright work, including from e-journals and from works excluded from the CLA Licence.

Library Privilege overrides publisher licences, so libraries may supply single fair copies to other libraries from any copyright work, provided an end-user declaration is obtained.

In these cases:

- You may only copy one article from an issue of a journal, or a ‘reasonable’ proportion of any other published work.
- The requester must have provided a declaration in writing to say that they have not previously been supplied with a copy, that the copy is required for non-commercial research or private study, that they won’t supply the copy to anyone else, and that as far as they know, no one else is going to be asking for the same copy for the same purpose at the same time. This declaration does not have to be signed, or use a set form, and can be sent electronically, so for instance requester could type their name or tick a check box to confirm agreement. See Appendix for a form of words to use on electronic declarations
- You can supply the copy digitally, but the individual receiving it may only store it digitally for their own personal use.
- There is no longer a requirement to charge for the copies supplied.

Publisher licences

Electronic databases and journals are typically licensed for access by those who work for specific organisations, and library staff may make copies for everyone covered by the licence, without limit and without a declaration. Beyond this, they are usually quite restrictive in terms of the copying that is allowed. However a) you may be able to make copies under the CLA Licence (check the CLA title search at <http://permissions.cla.co.uk/titlesearch.html>) and b) following the changes to the Copyright Act in 2014, libraries can now make Library

Privilege copies for other not-for-profit library from any copyright work, and this privilege cannot be overridden by a publisher's contract. Remember that in these instances, you will need a written/ticked declaration from your user.

Requesting Journal Articles

Checking locations

First check the online journals database at <http://www.evidence.nhs.uk/nhs-evidence-content/journals-and-databases> for availability of full text access via OpenAthens. Requests should not usually be made for these titles.

Making a request

After searching the LAWMUNION catalogue (www.LAWMUNION.nhs.uk) to identify availability a request must be made using the online request form on LAWMUNION. If the request is urgent a telephone request may be made. The online form request should include as much detail as possible, but as a minimum;

- Year of Publication
- Page number(s)
- Title of article
- The MIDS network code plus your library's code
- Your e-mail address
- The date of the request

Responsibilities of requesting libraries

- Refrain from sending more than three requests to any one location each day
- Check references for bibliographic accuracy before making the request
- Do not request items that are available via OpenAthens without good reason
- Do not request more than two articles from any one journal issue for NHS reader(s) from an NHS library, and no more than one article from any one journal issue for other readers and from other types of library (Higher Education).
- Do not request multiple copies of single items
- Urgent requests: It is the responsibility of the requesting library to exercise discretion about whether a request should be sent as "urgent".
- For data protection reasons, do not include the requester's details.
- Do not make requests that would infringe copyright if supplied. If a declaration is required for the copy being requested, it is your responsibility to obtain this.

Unless you know that the copy will be supplied under the terms of the CLA Licence, it is safest to assume that a declaration is required.

Responsibilities of supplying libraries

- Requests should be processed within one working day of receipt, or as soon as possible where the supplying library is staffed part-time
- Electronic supply is preferred where allowed by copyright/licences. Otherwise, copies should be supplied by the quickest and most cost-effective means available
- Any photocopies should be A4 in size, as clear and clean as possible and properly collated
- Ensure the supplied item includes the full journal source

- Ensure the supplied item includes the requesting library's request number or a copy of the original request
- Clearly indicate who the supplying library is
- Scanned copies of print articles may be sent by email. Ensure that the appropriate copyright statement in appendix 2 is included. If unsure if the item is supplied from a hard copy or e-journal use statement b.
- Supplying libraries may reserve the right to decline to fulfil specific requests but must provide an adequate reason, e.g. inadequate reference, missing, article too long, etc
- If you cannot supply the item requested, or the reference is faulty, notify the requesting library as soon as possible, including your library code, any request number and the reason why you cannot supply.

Responsibilities to Customers

- Ensure your customers understand the proposed timescales involved and are kept informed about the status of their requests.
- Ensure your customers know whether/how they may share/store the copies that you supply by ensuring the correct copyright statement is attached.

Appendix 1: End user declarations

End-user declarations (for copies that will be supplied under the Copyright Act)

I declare that:

- I have not previously been supplied with a copy of this by you or any other librarian;
- I will not use the copy except for research for a non-commercial purpose or private study and will not supply the copy to any other person; and to the best of my knowledge, no other person with whom I work or study has made or intends to make, at or about the same time as this request, a request for substantially the same material for substantially the same purpose.
- I understand that if the declaration is false in a material particular, the copy supplied to me by you will be an infringing copy, and that I shall be liable for infringement of copyright as if I had made the copy myself.

Note: this wording is derived from the model declaration provided by CILIP, whose guidance on copyright declarations is available here;

<http://www.cilip.org.uk/cilip/advocacy-awards-and-projects/advocacy-and-campaigns/copyright/copyright-briefings-and-2>

Appendix 2: Statements for library staff to use with supplied copies

a. Copies supplied under the NHS CLA Licence

"This copy has been supplied to you under the terms of the NHS England CLA Licence. You may store your own copy (e.g. on your personal drive or own PC) and make further copies for other NHS colleagues. You may put it on an intranet page for up to 30 days, but not place it on the internet. Thank you for your co-operation."

b. Copies supplied under the Copyright Act, a Publisher Licence, or obtained from the BL, BMA or another non-NHS library

"This copy has been supplied to you under the terms of the Copyright Act or a publisher's licence or from another library. It is for your personal, non-commercial use only. You may not make further copies. Thank you for your co-operation."

See also [Inter-Lending and Document Supply \(ILDS\) Good Practice Guidelines](#) and [Copyright Information for NHS library staff](#).

If you require further advice on copyright-related matters, contact the NHS Copyright First Responders at nhscopyrightqueries@libraryservices.nhs.uk