

COUNTER Code of Practice

10.0 Other Compliance Topics

Content providers seeking COUNTER compliance are expected to comply with the following.

10.1 Including COUNTER in License Agreements

To encourage widespread implementation of the COUNTER Code of Practice, customers are urged to include the following clause in their license agreements with content providers:

'The licensor confirms to the licensee that usage statistics covering the online usage of the products covered by this license will be provided. The licensor further confirms that such usage statistics will adhere to the specifications of the COUNTER Code of Practice, including data elements collected and their definitions; data processing guidelines; usage report content, format, frequency and delivery method'.

10.2 Confidentiality of Usage Data

10.2.1 Privacy and User Confidentiality

Statistical reports or data that reveal information about individual users will not be released or sold by content providers without the permission of that individual user, the consortium, and its member institutions ([ICOLC Guidelines, October 2006](#)).

It is the responsibility of the Content Providers to be aware of and ensure that they meet security and privacy requirements, including GDPR and other standards and requirements that may be applicable.

10.2.2 Institutional or Consortia Confidentiality

Content providers do not have the right to release or sell statistical usage information about specific institutions or the consortium without permission, except to the consortium administrators and other member libraries, and to the original content provider and copyright holder of the content. Use of institutional or consortium data as part of an aggregate grouping of similar institutions for purposes of comparison does not require prior permission as long as specific institutions or consortia are not identifiable. When required by contractual agreements, content providers, such as aggregators, may furnish institutional use data to the original content providers. (Based on [ICOLC Guidelines, October 2006](#)).

10.3 COUNTER Reporting for Consortia

Consortia license content for their members and consortium administrators need access to COUNTER statistics that show how each member has used the licensed resources.

10.3.1 Access to SUSHI Credentials for Member Sites

Content providers MUST support the /members COUNTER_SUSHI API path to provide the consortium with the list of their members on the platform and the SUSHI credentials for each member. This will enable tools to be created to efficiently retrieve member usage and create separate or consolidated reporting.

10.3.2 Privacy and Confidentiality

COUNTER acknowledges that some organizations treat their usage data as sensitive and private information. Content providers may include the option for consortium members to opt-out of consortium reporting. COUNTER recommends the default setting for an organization is to opt-in to consortium reporting.

10.3.3 Content to Report Usage On

When a COUNTER report is harvested by a consortium administrator, a content provider may choose to limit member usage to include only content acquired through the consortium. Note that when such a limitation is in place the resulting report may differ from the member-sites own version of the report. Since not all content providers can provide such limits, the consortium will be responsible for ensuring usage is filtered to the content they license for members.

When the content provider chooses to limit member usage to only content acquired through the consortium, they MUST include a message to this effect in the Notes element in their implementation of the /members path in the COUNTER_SUSHI API (see [Section 8](#) above).

10.3.4 Detailed versus Summary Reports

A content provider MUST offer the option to provide consortium-level summary of usage for the consortium. For a consortium summary report (usage for all members of the consortium rolled up at the consortia level), COUNTER acknowledges that the totals on the summary report may differ from the sum of the totals on individual member reports for the same items if an authentication method used identifies to multiple member sites and usage is attributed to each such site (e.g. overlapping IP ranges).

10.3.5 SUSHI Service Limits

The content provider MUST NOT place limits on the SUSHI service (such as requests per day or amount of data transferred) that would prevent a consortium from retrieving reports for all its members.

