

The Society of Authors

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What sort of deal are you being offered?

It is often increasingly hard to tell if one is being offered a good publishing deal, or something which is smoke and mirrors. Very broadly speaking, there are four sorts of deal:

Option 1: traditional publishing

A recognised publisher pays you an advance and royalties (best) and/or otherwise makes an identifiable and significant up-front investment in the work (e.g. paying you a fee, meeting the cost of substantial illustrations, guaranteeing to produce the work to a good standard and in an initial print-run of a specified quantity). The more a publisher has spent on a work initially, the greater its incentive to recoup that investment. Generally, a ‘proper’ publishing deal will be preferable to self-publishing (other than, occasionally, for specialist non-fiction writers). There is increasingly important value in the ‘badge’ of being published by a highly-regarded imprint. Good publishers have editing, design and production skills, they generally make some effort at publicity and marketing at least on launch, and have active, experienced rights departments with established connections in other markets. They handle financial matters such as sales, returns, tax implications when dealing with foreign publishers. They put up the money. Most authors would prefer to devote their time to being writers rather than also acting as publishers. Good publishers, doing their best for a book, should be properly appreciated.

Option 2: ebook/print-on-demand-only publishing

At first glance, much like option 1, but actually very different. There is little if any sign of expenditure by the publisher, you are offered no advance, and there is no undertaking or intention to publish other than as POD and/or ebook (though that is often not clear unless you specifically ask). Because start-up and overhead costs are minimal, almost anyone can set up as such a publisher, regardless of their financial stability, publishing credentials or business acumen. In return for minimal investment, the publisher gains control over as wide a range of rights as it can secure, for as long as possible – and the right to a significant percentage of the income generated should any of those rights turn out to be valuable. If the work will be POD/ebook only from the outset, and no advance is being paid, be wary – even if the offer comes from a ‘real’ publisher.

The market is flooded. Traditional publishers of course constantly publish out new titles (on which they will be focusing their promotional efforts); the glut of self-published works, especially ebooks, grows daily; and then there are all those old works (backlist, Victorian classics never going out of print, the vast range of second-hand books on Amazon) all now easily available. They are all vying for readers’ attention. Your book stands very little chance of standing out from the crowd. POD copies are, by definition, produced only in response to firm orders... but bookshops almost invariably only stock titles which are on sale-or-return. Ebooks may be available

from online retailers, but they have no high-street ‘presence’. Your rights will be tied up for a number of years, at a fixed and often rather low royalty (or to put it another way, giving the publisher anything from 50% to 90% of the income on every sale), and it is unlikely that the work will appear in bookshops or be reviewed in the press. If considering such an offer, and cannot secure a ‘real’ publishing deal, at least consider Option 3.

Option 3: self-publishing

New works: traditional publishers and agents are becoming increasingly picky about what new works they take on. At the same time, it is now very cheap and easy to self-publish unillustrated works as POD or as an ebook, whereby you can showcase your work without giving away any rights (and retaining 100% of any income). If you can attract good sales and reviews, that may well encourage a conventional publisher to take interest. Indeed it is to some extent a self-fulfilling prophesy: why should publishers take the risk of taking on, and paying a good advance for, an unknown work, when they can rely on the author to test the water first?

Old works: if your backlist is out of print, and the rights have reverted to you, self-publishing may well be a better choice than granting rights anew to a publisher (unless you are being offered a decent fresh advance in return).

Specialist non-fiction and highly illustrated works: publishers of specialist non-fiction are struggling to survive as people increasingly seek out information via search engines rather than by buying books. In addition, the cost of producing full-colour, highly illustrated printed works remains very high. One consequence is that the number of new commissions in these sectors is dwindling, and the terms offered to authors tend to be poor. On the other hand, specialist non-fiction may be relatively easy for you to market effectively, if you know the profile of your potential readers and the best way to reach them, or if you use your books partly as a calling-card for other money-generating activities e.g. lecturing. Self-publishing may be worth considering. When it comes to highly illustrated works, ebooks and POD are not a good option but you might consider self-publishing in a traditional print-run or as PDF) because your overheads are likely to be much lower than those of many publishing houses, and what you consider a viable profit margin may well be much lower.

Option 4: ‘subsidy’ and ‘joint venture’ publishing

The author pays a publisher and grants a licence of rights. Very many authors who sign such deals report spending a great deal of money and getting little but disappointment in return.

**You are reminded that members of the Society of Authors
are welcome to take advantage of our contracts vetting service
giving individual advice on the terms you are offered.**

The Society of Authors, www.societyofauthors.org