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Literary agents use specific guidelines in order to handle submissions from authors looking for representation. This guidance is intended to accompany the <u>Book and Publishing</u> <u>Industry's Professional Values</u> which encourages the publishing industry to support a culture we can be proud of – one which is *'welcoming to all, respectful of all, and supportive of all'*. This document is aimed at helping industry professionals and authors understand the minimum they should be able to expect from each other in relation to the submissions process.

Note: we use 'author' to include writer, illustrator, translator or other creator.

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A. Good practice for literary agents

Dignity, respect and professionalism

When processing submissions, be mindful of the person behind the submission who has invested their hope and much time in their work or proposal, and who is trusting you to consider their creative work thoughtfully, and with respect.

When setting up a submissions process:

1. Consider best practice in relation to accessibility: can you offer access assistance at the start of the process if it is needed? Further help and advice is available here: a guide to alternative formats for accessibility - Scope for business

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- 2. **Provide clear up-to-date submissions guidance:** give as much information as possible about:
 - a. Whether each individual agent is open or closed to submissions (and until when, if the closure is temporary).
 - b. If open to submissions, what kind of submission the agent is looking for.
 - c. In what format specify if you accept only digital submissions and any formatting/ software requirements. If you accept hard-copy submissions, be clear about whether they will be returned and, if so, how.
 - d. Be clear about what you need to assess the submission, i.e., a letter and a synopsis and a specific sample of the work.
 - e. Clarify whether your submission requirements are different for different genres (e.g. fiction, non-fiction, children's & young adult).
- 3. Fees: reading fees should never be charged.
- 4. **Transparency:** if using AI to filter submissions or for other purposes, you should give a guarantee that there will be human oversight, the final decision lies with a human, and that AI will not be used in a way that infringes the author's rights. The work and the author's identity should not be accessible by generative AI at any time without the author's consent. If authors have concerns about the possible involvement of AI, clarify how they should raise those concerns.
- 5. Clear communication: it is best practice to ensure that no submission is unanswered. Consider whether you can implement an automated response acknowledging receipt, or whether a <u>query-tracker app</u> might be used. Automated responses are acceptable to acknowledge initial receipt of a submission, but even a brief personal note is preferable if the submission is not accepted. Any response is better than silence.
- 6. Manage expectations and be clear on the outcome of a submission: authors understand that agents receive a very high volume of submissions, but they will be anxious for a response. To help manage expectations, we ask that you provide a timeframe in which authors can expect to hear from you. We would expect the timeframe to be within three months. Rejections should be sent as swiftly as possible and should be worded with compassion and professionalism whilst being clear and direct.
- 7. Respect and reflect the industry professional values: the principles outlined in the industry statement on professional values and behaviours should be respected.

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Contract terms and rights

- 8. **If an agent offers to represent an author:** an agency agreement should be in place before the representation begins. The author's submission to the agent must be treated in confidence unless and until terms have been agreed.
- 9. Support authors in taking professional advice: consider adding wording to the submissions page on your website or when issuing an agency agreement stating that you are happy for the author to discuss any proposed terms with the Society of Authors' team of specialist advisers or other professional advisers, and that you will allow time for this to happen before the author has to make a decision.

Data protection, confidentiality and legal compliance.

- 10. **Confidentiality:** check that your internal processes ensure the confidentiality of submissions and avoid conflicts of interest or inadvertent copying of ideas or work. We recognise that submissions and the author's identity and details may need to be reproduced and circulated within the agency but these should be treated with respect and confidentiality.
- 11. **Record-keeping:** adopt and maintain practical internal processes for the receipt of proposals to ensure that they are recorded. Data should be kept in accordance with current data, privacy and confidentiality laws.
- 12. **Data protection:** in line with your Data Protection Policy*, ensure you destroy any copy you may have of an unsuccessful submission together with the author's personal data once the process is complete. If you wish to keep data for the purposes of later contact, you need the author's permission to do so. If you accept hard copy submissions, ensure these are not original documents or artwork before securely disposing of them.

*Data protection policies and processes should be up-to-date, clear and easily accessible via your website explaining how submissions and personal data will be processed securely, how long they will be kept, and how data is used and subsequently disposed of. For further advice and guidance, see: Policies and procedures | ICO.

Thank you for reading this guidance with a view to providing best practice in your submissions process, and for looking after the authors on whom the publishing industry depends for its success.

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B. Guidance for authors submitting work

When submitting your work and receiving acceptances or rejections, we advise that you:

- 1. Follow the agency submission process: ensure you read and adhere to the submission process given on the agency's website. The guidance exists to ensure a smooth process. Submissions guidelines will vary between agencies and may also be different within an agency, as they may be specific to each individual agent. Guidelines indicating that an agency or an agent is closed to submissions should be respected as well, but if a timeline isn't given, do check back as they are likely to re-open again at some point.
- 2. In the absence of a stated submission process: submit your work via email to the relevant submissions address. If submitting in written form, never send originals, only copies. Never assume that what you send will be returned, even if you include a stamped, addressed envelope.
- 3. Submit a complete and professional application: provide all the required and relevant information to assist those receiving it to review your proposal objectively and fairly; but do not send material not requested.
- 4. Respect professional boundaries and the guidance available: whether in relation to preferred contact methods, schedule, timeframes, working conditions, or what the agency will read. We would advise only following-up on an outstanding submission whilst it is under consideration should there be a significant update to convey e.g. you have received tangible interest from another agent.
- 5. Accept a rejection as final: do not expect to enter into correspondence after receiving a rejection. The decision will be final. Be mindful that the agent may have to send out many rejections in a short timeframe.
- 6. **Respect confidentiality:** refrain from posting on social media or other public channels about any acceptance until the agency has confirmed it is happy for you to do.
- 7. **Be professional at all times:** the principles in the <u>industry statement on professional values and behaviours</u> should be respected.

Contract terms and copyright

- 8. Read all submissions terms carefully: if you have questions or if they concern you in any way, do feel empowered to raise a query and discuss this with the agency in the first instance. You can also consult the Society of Authors or take advice from another professional adviser before proceeding.
- 9. **If your submission is accepted:** have the resulting agreement or contract vetted by a professional. Advisers at the Society of Authors can help members understand what is being offered, and whether the terms are standard.

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10. **Beware of scams:** individuals sometimes pose as agents as part of scams to try and extort money. Reputable agents are most unlikely to send unsolicited emails to authors and do not ask them to pay fees. If you receive a request for money, please be cautious and seek advice.

Data protection, confidentiality and legal compliance

- 11. Request confidentiality: agents should make sure submissions are treated confidentially. Some authors however find it reassuring to state in writing that the proposal is being submitted in confidence, and that it is subject to data privacy and intellectual property laws. And best practice, to confirm that it is you who controls the rights, is to include a copyright notice on all work submitted in the format: TITLE © AUTHOR'S NAME, YEAR.
- 12. **Evidence:** retain an exact copy of your submission together with the date submitted, and the name and relevant details of the person to whom your proposal was submitted. Most agencies only accept digital submissions these days, so you may need to save a copy of your email or download a copy of an online form.

C. A final reminder...

In accordance with the <u>Book and Publishing Industry's Professional Values</u> it is essential that all participants in the publishing process hold themselves to the highest standards of professional behaviour.

We believe that an industry commitment of this kind can support an industry-wide culture we can be proud of.

Further resources

- Code of Practice | Association of Authors' Agents (agentsassoc.co.uk)
- Code of Practice on Author Contracts Publishers Association
- Publisher submissions best practice guidelines
- Competition submissions best practice guidelines
- The APC Code of Practice

We will consider all feedback and update this guidance periodically.

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