

Report on the Basle Conference Freelance Business Forum—Incorporating contributions from the EMWA Freelance Email Discussion Forum

by Alistair Reeves and Sam Hamilton

We were inspired to have 32 attendees at the EMWA Freelance Business Forum (FBF) in Basle on Friday 2 November 2007, the first time we have had such an event at an Autumn Meeting. Time was very tight, and we were wedged between workshops ending at 17:30 and the conference banquet in the evening. Thanks to all those who resisted the temptation to rush off to the bar and attended the FBF instead. The launch of the EMWA Freelance Email Discussion Forum (FEDF) a few weeks before the Basle conference promised lively debate of the discussion topics—and we were not disappointed! Thanks also to all who contributed. As this formed the bulk of the FBF agenda, we report here on both.

Alistair briefly described initiatives implemented since the FBF in Vienna 2007: the ‘Out on our Own’ (OooO) section of TWS, and the FEDF. He appealed for contributions to OooO, small or large, on any topics relevant to freelance writing and work. It offers an excellent forum for exchanging information with about 130 participants. He stressed that the FEDF is not for advertising freelance writing services.

Out on our own: From freelancers for freelancers

Thanks to all those fellow freelancers and some non-freelance colleagues who wrote to us expressing appreciation for the first ‘Out on our Own’. This edition sees the final instalment in Sam’s journey into freelance writing, an interview with Wendy Kingdom, and Ursula Schönberg has some good advice for those starting up as a freelancer, in response to the one of the first questions (and it is a very FAQ—the ‘A’ here standing for both ‘asked’ and ‘answered’) sent to us in the EMWA Freelance email Discussion Forum: ‘When starting up as a freelancer, how do medical writers get their first contracts?’ The first Freelance Business Forum at an autumn event was held this year in Basle, with a very good turnout. We report on the forum here, and on the first round of discussion in the FEDF.

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Sam then opened the agenda.

Items 1–3 were dealt with on the FEDF and fielded at the FBF for additional comments.

1) How do other freelancers deal with quality control (QC) of their work? (Pamela Waltl, medical writer)

Elaine O’Prey takes the approach of several other freelancers: after completion of a document, it is put to one side, and then after a break is thoroughly (spell-)checked again. She also uses checklists to ensure that all aspects of templates and formatting have been followed properly, as do **Neil Fisher**, **Alistair Reeves**, and **John Carpenter**. Neil thought it would be a good idea to discuss the content of such checklists. **Gillan Pritchard** relies on the client to do the QCing and also states in her contract that certain aspects of QC will not be performed. Generally, the aim is to produce the work on a ‘best practice’ basis assuming that QC will be performed by the client. Neil and Alistair have clauses in their contracts stating that QC is the client’s responsibility. Several members have the option of having their work checked by colleagues, and sometimes do so. **Debbie Jordan** and **Sam Hamilton** actually offer a QC package performed by a colleague (e.g. staged QC of shell, draft and final Clinical Study Report) when providing proposals for jobs, with about 50% uptake of this service. Responsibility for any errors is also obviously linked to liability as mentioned by **Ursula Schoenberg** (see ‘Indemnity insurance’ below). **John Carpenter** also cautioned that professional indemnity insurance for QC may be necessary when offering certain types of QC services and that you need to have a confidentiality agreement in place for subcontracting QC work. There should be a separate charge, and the client must be aware of this. Persons performing QC for you should be qualified in line with Good Clinical Practice (GCP) requirements (but what this actually means is unclear).

2) When starting up as a freelancer, how do medical writers get their first contracts? Is it worth offering lower charges to begin with? (Ingrid Dickes, medical writer)

There was general agreement that contacts secured whilst still working for an employer, former colleagues, and word-of-mouth are the best sources of initial contracts. It is important to have a website, although none of the contributors said this was a major source of work. It is also impor-

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tant to place yourself on lists of freelancers on the Web, such as the EMWA Freelance Register. Cold-calling is not generally regarded as very rewarding. **Pamela Waltl's** response was typical of most of those received and was given at the FBF: *"My first contracts were from a previous company, and they are still one of my main clients. A large proportion of my work comes from people I have previously worked with. I am also on the list of a few agencies/communication companies who contact me from time to time. I also occasionally get work from the EMWA freelance listing. I did do some cold-calling at the start, but was not very successful, however I am considering this option again, so if anyone has any hints about what works best, I would be pleased to hear about it!"* **Gillian Pritchard** contacted local business support agencies in Scotland, as did **Alistair Reeves** in Germany. One thing you may have to bear in mind are any possible breaches of contract with earlier employers (**Gillian Pritchard**: *"I had previously worked for a consultancy, and so did not contact former clients because this would have been a breach of contract."*; **Sam Hamilton**: *"I had a non-compete clause in my employment contract with my last employer before going freelance which meant that I could not work with any client I had worked with in the last year before I left for a 6-month period after I left"*). Based on bad experience, **Neil Fisher**, **Alistair Reeves** and **Debbie Jordan** said 'never compromise on fees'. **Ursula Schoenberg** gives some advice for those starting up in this issue.

3) If you have a website, how do you go about being easily found via Google? (Ingrid Dickes, medical writer)

This used to be easy: use the right keywords or mentioning 'medical writing' enough on your first page ensured that you came somewhere reasonably high in the listings (**Ingrid Dickes**, **Alistair Reeves**, **Sam Hamilton**), even if it initially took a few months. From comments and contributions received, this is obviously a very rapidly moving target with the rules being changed more and more often. You could always pay for special mentions on the first page (**Adam Jacobs**), but now you can pay for 'website optimisation'. **Neil Fisher**: *"Difficult. Google keeps changing the rules, and getting a good rating takes skill. Internet optimization is now an established business and costs good money"*; **Gillian Pritchard**: *"My web designer told me that if you want your website to be found you have to pay to ensure that search engines can find it."*, and it seems this can become very expensive. **Debbie Jordan** commented on this point as follows: *"Given that the EMWA freelance list comes out top when you type 'freelance medical writer' into Google, I think the best way to reach clients is to make sure you are registered on the EMWA freelance listing"*. **Cito Habicht** and **Linda Liem** pointed out that whether you want to spend money on optimization depends on what you want your website to achieve: if your website is just an

extended business card or a place to provide new contact details, optimization is probably not necessary. **Wendy Kingdom** made a practical suggestion: since website optimization costs you something, give it a try for 6 months or 1 year and see how much business it brings, and then decide whether or not to continue.

In line with Debbie's comment, it is a good idea to be put on the EMWA Freelance Register, but **Ingrid Dickes** felt that newcomers might not stand a chance of gaining business from it because there are so many experienced members on the register. The general feeling was that this should definitely not put anyone off, because you have to start somewhere, and newcomers will have things to offer that experienced members might not.

Items 4–6 were proposed on the FEDF and fielded at the FBF, and will be included in the next discussion round of the FEDF (probably late November 2007).

4) Do freelance medical writers need indemnity insurance? (Liz McNeil Grist, freelance journalist/medical writer)

Liz has been a freelancer for 25 years and has recently been asked to sign clauses indemnifying the client, which she has refused to do. She raised the issue with the Medical Journalists Association, but no conclusions were reached. **Sam Hamilton** answered: *"When I went freelance I spoke about this to several seasoned freelancers and took advice from ex-colleagues in the pharma world. They all gave the same advice: this is a non-issue, because final sign-off is the responsibility of the client. You never work (or should never work) in isolation from the client, and there should be dialogue ongoing during the write-up, so there really should not be any surprises in there by the time the client sees the finished article"*. **Alistair Reeves** replied: *"We have been having FBF meetings at EMWA events for the past 5 years, and this topic has been discussed at all events except the last. The outcome of the discussions each time was, as Sam says: if a medical writer is contributing to or preparing any document used for drug or device approval or any associated or preparatory documentation, or preparing a publication or marketing documentation for a company, this is a non-issue because the final sign-off is the responsibility of the client. The document can be changed after the medical writer has sent off the 'final version' without the medical writer's knowledge (so always keep your dated email and 'final version' of anything you send to anyone as a dated printout). If you want to be really sure, you can make a printout and send it to yourself on the same day by registered mail, but do not open the envelope when you get it, and do not open it until you are in court"*. This may be very different if you are active in the field of agency work or journalism, or are actually involved in giving medical or regulatory advice, where you are very much more exposed and 'out on your own', so you must take individual advice on this.

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5) How do freelancers deal with conflict of interest issues? (Elaine O'Prey, medical writer).

Alison McIntosh commented that a potential employer may try to avoid this by asking a writer to sign a 'non-compete' contract, meaning that for the duration of the contract, they are not allowed to work on the same subject area for any competing company or agency. She did this for 3 months and insisted on being paid a retainer (i.e. was guaranteed a certain sum of money, even if she was not given any work). **John Carpenter** felt that a retainer would be mandatory in such a situation. **Ursula Schoenberg** said that she had been asked to sign such agreements, but had refused, and that it had not been detrimental to business. A possible pitfall with such contracts is difficulty with the tax office because of 'IR35' status in the UK and 'Scheinselbständigkeit' (apparent self-employment) in Germany. This presumably exists in many EU and other countries if you work for more than a certain percentage of your time for only one employer or only one employer in a tax year. It was suggested that clients may prefer such contracts because freelance rates are too high, but this does not seem credible. The Dutch tax authorities would consider such a contract with a retainer as a standard employee contract with all liabilities on both sides. To avoid 'apparent self-employment' in Germany, freelancers have to have more than one client and not earn more than 85% of their turnover from one of those clients (**Cito Habicht**). These issues are not strictly to do with conflicts of interest, and this topic will be sent out in the email discussion forum.

6) Journal manuscripts are no problem, but I regularly underestimate the time needed for other types of document. (Neil Fisher, medical writer)

Neil thought it would be a good idea to share information on how long standard documents should take to complete, and factors to watch out for which could change the amount of time needed. **Sam Hamilton** replied that she is giving an advanced workshop at the Barcelona conference covering the scheduling of standard documents (mainly protocol and CSR) and proposal writing. The time allotted for the preparation of any document depends on the complexity of the document. The time allowed is often determined by the client, and they also often regularly underestimate. **John Carpenter** and **Alison McIntosh** advised always to keep a daily timesheet to supply to the client, keep in touch with them, and don't surprise them. Any contract should include clauses to the following effect: 1) the writer and client will give each other early warning if they feel that the job is going to take longer than originally planned; 2) the initial time estimate should have a buffer (possibly $\pm 15\%$) and should cover the first draft and one review cycle with incorporation of comments (for which time is also stipulated). Time after that is subject to negotiation.

With cast-iron meeting discipline, we managed to get through our entire agenda, including a very brief 'Any other business' slot, in which **Linda Liem** said that she was interested to hear in general about software tools (add-ons, plug-ins, programs) writers use to facilitate work, and in particular an add-on for Excel for statistical calculations. This

is a further topic for the email discussion forum, but anyone with any information on this might like to contact Linda.

Thanks to all those who attended the Basle FBF and thanks to Alison McIntosh for taking the minutes. After the meeting it emerged that Head Office wanted all participants who wished to take part in the FEDF to actively confirm this (see box). Out of an original mailing list of 140 participants, only 8 people asked to be withdrawn, and have been deleted. We look forward to seeing you all again in Barcelona—and hope for an even better turnout at the FBF—and we also look forward to hearing from you in the email forum.

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EMWA email Freelance Discussion Forum

This discussion forum was launched just before the Basel Meeting in November this year, with a resounding positive response. Our first mailing was based on a list of participants from Head Office which needed some refinement, as we were aware that some colleagues in full time employment also doing freelance work might not wish to be addressed (I was in this situation for years, so I fully understand—AR), and that others may not be interested. If you are working for a company and want to be addressed privately, you can always give us an alternative email address. If you wish to participate in the forum, please e-mail me (a.reeves@ascribe.de) or Sam Hamilton (sam@samhamiltonmwservices.co.uk) so that we can add you to the list. We look forward to hearing from you!!

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The influence of the pharmaceutical industry (and ghostwriting)

An article titled 'Biomedical research and corporate interests: A question of academic freedom' by McHenry Leemon, a lecturer in philosophy at California State University, views the influence of the pharmaceutical industry on politics, academic research, medical journals and ultimately on society.

Ghostwriting features strongly in the industry's armory in this article.

It is available ahead of print at: <http://www.msmonographs.org/preprintarticle.asp?id=37086>