Code of Ethics

Approved 9 May 2018
PUPPOSE

The purpose of the Code of Ethics is to set out the standards of professional behaviour expected of archivists, archive conservators, records managers and those occupied in related activities, who are individual members of the Archives and Records Association (UK and Ireland). All other ARA members are required to recognise the Code and not to act in any way to undermine its provisions.

No code of ethics can cover all possible situations in detail. The code sets out principles, which members must interpret and apply to their work. The Association’s Ethics Panel will provide advice and guidance to members who are in doubt about how to interpret the principles, and will adjudicate in situations in which the correct interpretation is unclear. Individual members have a responsibility to obtain a ruling, through the Honorary Secretary of the Association, on all occasions when they are in doubt as to the proper standards of professional behaviour.

As well as informing members of the ethical standards governing their work, this code also has the purpose of advertising those standards to stakeholders in members’ work, and to the general public, thus promoting trust in the profession and allowing members to be held to account for meeting standards.

The ARA recognises that individual members who are employed are bound by the terms of their employment, nevertheless if members find themselves under pressure to behave in a way that is contrary to the code, they can use their status as a professional, their membership of the ARA, which includes a commitment to be bound by the principles of the code, as a means to resist that pressure. The ARA will support members whose opinion is overridden by an employer in a manner which would lead them to breach the Code of Ethics. If they are overruled by someone with the proper authority to do so, members shall not be deemed to have breached the Code, providing they can clearly document their recommendations or actions and show that they have been given an instruction that compels them to breach the Code.

THE CODE OF ETHICS

PROFESSIONAL RESPONSIBILITY AND THE PUBLIC INTEREST
As professionals, record-keepers have a broad responsibility to the public interest which they must keep in mind alongside their responsibilities to their employer. Records and archives have an important social role, preserving accurate information for the efficient and effective management of organisations, and for wider social benefit. Professional record-keepers should keep this social role in mind when conducting their work.

1. The primary duty of members is to preserve and protect the integrity of documents in records and archives in the public interest, in order to ensure that they continue to provide reliable evidence of past actions.
2. Members should ensure open and equitable access to records and archives as far as they can, compatible with respect for other concerns such as the privacy of information subjects and their institutional context.
3. Disposal of documents should be on the basis of a proper appraisal process, and must not be solely driven by resource limitations. Members should do everything within their power to avoid the destruction of documents that are of historical or public value.
4. Members should promote the awareness, preservation, understanding and use of the world’s documentary heritage in the form of records and archives amongst stakeholders, cultural and information professionals and the public, and where appropriate, work cooperatively with members of their own and other professions to do so.

5. Insofar as it is within their power to do so, members should minimise the adverse effects of their work on the environment.

6. Members have an explicit duty to be aware of and keep up to date with the relevant professional standards applying to the care of archives in their care and accordingly develop their professional understanding and expertise, contribute to the body of professional knowledge, and to ensure that those whose training or activities they supervise are equipped to carry their tasks in a competent manner.

7. Where they are aware of another member whose behaviour is in material breach of the principles in this code, members should consider how best to ensure any resulting issues are rectified and prevent a recurrence. This may involve reporting the member’s behaviour to their employer or to the ARA.

8. Members should never accept documents which they have significant reason to believe have been acquired through illegal or unethical means. Members should do what is in their power to verify the origin of documents, and should accurately record information relating to the origin of documents as an aid to accountability and comply with the relevant national and international laws.

9. Members should work towards finding mutually satisfactory solutions to questions concerning shared archival heritage and displaced archives, recognising legal and ethical considerations.

10. Members have an explicit duty to be acquainted with the relevant legislation, regulations and codes of practice that may apply to the records and archives in their care, including data protection and freedom of information laws.

**Impartiality, Fairness and Equity**

Being impartial is a matter of being motivated only by the right considerations. In record-keeping, the right considerations include the aims and purpose of the record-keeping service, and professional principles. They do not include personal interests or affiliations. Equity and fairness involve discharging one’s duties to individuals and groups without favouring one individual or group over another.

11. All decisions made by members, including decisions relating to acquisition, accessioning, access and disposal, should be made on the basis of sound record-keeping principles and their institution’s retention schedules and appraisal and collection policies.

12. Members should be aware of potential threats to their impartiality, including
   - inappropriate pressure from employers, managers, depositors, users or other stakeholders;
   - their own personal interests, e.g. research interests;
   - their personal feelings about the individuals or groups represented in the archive;
   - personal prejudice and implicit bias;
   - the relative ease of obtaining documents from particular sources.
13. Members should not allow conflicts of interest to affect their judgment. Where they are aware of a conflict of interest, they should make this known to relevant stakeholders including their employer.

14. When acquiring documents in any format, or appraising documents for acquisition, members should take account of whether another institution would be better placed to accept the documents in question, either because of the purpose or collection policy of the other institution, or because of the expertise available to it.

15. Members should facilitate the provision of open and impartial advice to users of the records in their remit.

16. Members should seek to ensure that access to documents is provided on a fair and equitable basis. As well as allowing access, where possible, they should proactively seek to make the service and its resources known to relevant groups of potential users.

17. Members should have regard to the extent to which their collection is representative of the communities documented by the records.

18. Members may use their institutional holdings for personal research and publication, providing other users’ access is not hindered.

**ACCURACY, TRANSPARENCY AND ACCOUNTABILITY**

Part of the social role of records and archives lies in their use in holding individuals and organisations to account. This requires that they preserve an accurate historical record. It is also important that record-keepers themselves work transparently and are accountable in their actions.

19. Members should ensure that the evidential value of records, including electronic or multimedia records, is not impaired through the work of appraisal, arrangement and description, and of conservation and use.

20. Members should ensure that users of the records in their remit are able to contextualise the information contained in the records adequately for its interpretation, for example via inclusion of additional descriptive information.

21. Any appraisal, selection or sampling should be carried out carefully, according to established methods and criteria, and should be documented. Replacement or supplementation of originals with copies in other formats should be done with due regard for the legal, intrinsic and information value of the records.

22. Members should respect the principles of provenance and of original order.

23. Where restricted documents have been temporarily removed from a file or series that is otherwise openly available, or is intended to be openly available at a specified future date, this fact should be made known to the user.

24. Members should have regard to the possible role the documents in their remit have in holding individuals or groups to account, where those individuals or groups have a public role. Members should not dispose of documents because those documents are, or could be, embarrassing to individuals or institutions.

25. Members should ensure that their decisions and the justifications for those decisions are transparent. In particular, they should keep a permanent record documenting the rationale for appraisal decisions, particularly those undertaken with a view to acquisition or disposal.
THE RIGHTS OF STAKEHOLDERS
There are many stakeholders in managing records and archives. Members should have regard to the legitimate, but sometimes conflicting, rights and interests of these stakeholders, including employers, owners, community members, data subjects and users, past, present and future.

26. Members must respect the privacy of individuals and corporate bodies who created or are the subjects of records, especially those who had no voice in the use or disposition of the documents.

27. Where possible, members should seek to ensure that information subjects have given consent for information about them to be stored subject to the provisions of current data protection legislation. Exceptions to this principle may include:
- Where information is in the public domain already (though members should bear in mind that by including information in an archive they may be increasing the extent of access to that information);
- Where the numbers of data subjects makes it impossible to gain consent;
- Where data subjects cannot be located in order to gain consent;
- Where data subjects are deceased;
- Where data subjects are not competent to give consent and it is not possible to gain consent from proxies, such as parents or guardians.

28. Where one of the above exceptions applies, members should take particular care to avoid possible harm to information subjects.

29. Members should take account of people’s reasonable concerns about how they are represented.

30. Members negotiating with transferring officials or owners of records should seek fair decisions based on full consideration – when applicable – of the following factors: authority to transfer, donate, or sell; financial arrangements and benefits; plans for processing; copyright and conditions of access.

31. Members should act on the wishes of the owners of documents to have them removed from a record-keeping service unless doing so conflicts with the public interest.

32. Members should be aware of the power of records to impact on individuals and groups and take reasonable steps to identify any documents in their holdings which might be distressing to employees and or users of the service, and should put in place measures to mitigate any harm arising from contact with such documents, for example:
- clearly labelling potentially distressing items;
- actively warning those who are likely to come into contact with such items;
- putting in place measures to safeguard the wellbeing of those who are likely to be working with such items over a long period of time.

GENERAL REQUIREMENTS ON MEMBERS
All applicants for individual membership of the Archives and Records Association (UK and Ireland) are required to sign an undertaking that they will endorse the Code of Ethics if elected.

All ARA members are required to read the Code of Ethics and recognise and, where relevant to do so, promote its principles and aspirations. The code is intended to govern professional behaviour, but affiliate and supporter members are expected to take the Code into account in any activity involving archives, archive conservation or records management.
All institutional ARA members are required to endorse the Code and abide by its principles and aspirations in as much as they affect their duty of care and custody of their own records and those records deposited with them whether donated or where ownership remains with the depositing individual or institution.

All ARA members must seek to promote the objects of the Association as set out in its Memorandum and Articles of Association and must not engage in any activity which is contrary to those objectives.

**ENFORCEMENT**

Should a case arise where an individual member is believed to have fallen short of the standards desired then procedures are defined within the Bye-Laws of the Association. The Ethics Panel will adjudicate on disciplinary cases.

**APPLICATION**

The term “members” as used in this code is intended to encompass all those concerned with the control, care, custody, preservation and management of records and archives who are individual members of the Archives and Records Association (UK and Ireland).

Where a member is supervising the work of people who are not members, but whose work is concerned with the control, care, custody, preservation and management of records and archives, whether those people are employees, consultants or volunteers, the supervising member must do what is in their power to ensure that those people’s work is consistent with the principles of the code.

The primary application of the code is to the professional work of members. However, members should take into account when their behaviour outside the workplace might reflect on the profession or their employer. In addition, members should consider how their expertise might contribute to good practice in record-keeping more generally. This might include taking an interest in record-keeping practices outside work.

**RESPONSIBILITIES OF ORGANISATIONS**

All employing institutions and archive services should be encouraged to adopt policies and practices that facilitate the implementation of this Code.

Members should bring the Code to the attention of their employing organisation, especially if that organisation is not an institutional member of the ARA, to ensure that policies and practices facilitate the implementation of the Code.

The Code is dependent upon the willingness of institutions to implement it.
GLOSSARY

The following definitions apply:

**Access**: The availability of records/archives for consultation as a result both of legal authorisation and the existence of finding aids.

**Accessioning**: Taking legal and physical custody of an acquisition.

**Acquisition**: The process of acquiring documents from any source by transfer, donation, purchase, loan, or inheritance.

**Appraisal**: The process of assessing the value of records for the purpose of determining the duration and conditions of their preservation.

**Archives**: Archives consist of documents which have been selected for preservation from all of the documents from one source or provenance because of their enduring value.

**Cultural professionals**: Qualified workers in the cultural sector, including museums, galleries, arts organisations etc.

**Deaccessioning**: The formal, documented removal of a collection or item from the accession register or custody of an archive service.

**Displaced archives**: Archives removed from their place of creation, often in contexts of war or decolonisation.

**Disposition**: The range of processes associated with implementing records retention, destruction or transfer decisions, usually the outcome of an appraisal decision as to whether an archive should be acquired by a particular repository.

**Disposal**: The transfer of records, especially noncurrent records, to their final state, either destruction or transfer to an archival repository.

**Documentary heritage**: Items which are moveable, made up of signs/codes, sounds and/or images, preservable (the carriers are non-living), reproducible and migratable, the product of a deliberate documenting process and which have been retained for their ongoing historical value.

**Document**: An item in any format or medium which is moveable, made up of signs/codes, sounds and/or images, preservable (the carriers are non-living), reproducible and migratable, and is the product of a deliberate documenting process.

**Evidential value**: The quality of archives and records that provides reliable information about the origins, functions, and activities of their creator.

**Historical value**: The usefulness or significance of archives and records for understanding the past.

**Impartiality**: The quality of one who chooses or judges one thing over another only for proper reasons, and not because of bias, prejudice or favouritism.

**Implicit bias**: Unconscious bias. Studies suggest that those who reject unfair discrimination against a group may nevertheless unintentionally discriminate against that group (for example, feminists may unintentionally discriminate against women).
**Individual members:** People working in or qualified in archives, records and archive conservation, who are registered as full members of the ARA. Includes archivists, archive conservators, records managers, archive education officers, archive assistants, record clerks and other staff in paid employment in an archive or records management service.

**Information professionals:** Qualified workers in the information sector, including information management, knowledge management, librarianship, archives management, records management, etc.

**Information value:** The usefulness or significance of archives and records based on their content, independent of any intrinsic or evidential value.

**Intrinsic value:** The usefulness or significance of archives and records derived from their physical or associational qualities, inherent in their original form and generally independent of their content, that are integral to their material nature and would be lost in reproduction.

**Legal value:** The usefulness or significance of records to document and protect the rights and interests of an individual or organisation, to provide for defence in litigation, to demonstrate compliance with laws and regulations, or to meet other legal needs.

**Public value:** Value of records and archives to wider society beyond their original creators and users.

**Records:** A document that has content, context and structure, made or received in the course of a practical activity as an instrument or a by-product of such activity, and set aside for action or reference.

**Record-keepers:** Workers in the record-keeping sector, including archivists, conservators and records managers.

**Shared archival heritage:** Archival documents to which more than one state or jurisdiction can legitimately lay claim.

**Standards:** Recognised and published professional best practice, national or international.