

Code of conduct: professional ethics in archaeology

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The Chartered Institute for Archaeologists is incorporated by Royal Charter.

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Code of conduct

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Preamble to the Code of conduct

This Code applies to both members and Registered Organisations of the Institute, and references to a 'member' within the Code are to be interpreted as including Registered Organisations.

The object of the Code is to promote those standards of conduct and self-discipline required of a member or Registered Organisation in the interests of the public and in the pursuit of the study and care of the physical evidence of the human past. This imprint of past human activity upon the natural world from prehistoric times onwards, the product of an interactive process that has created the places where we live and work now, constitutes the historic environment - a vulnerable and diminishing resource.

The fuller understanding of our past provided by archaeology is part of society's common heritage and it should be available to everyone. Because of this, and because the historic environment is an irreplaceable resource, members and Registered Organisations, both individually and corporately, have a responsibility to help conserve the historic environment, to use it economically in their work, to conduct their studies in such a way that reliable information may be acquired, and to disseminate the results of their studies. Adherence to the Code is required by the Institute as a practical means of ensuring that these responsibilities are met.

The Code indicates the general standard of conduct to which members and Registered Organisations of the Institute are expected to adhere, failing which the Institute may judge them guilty of conduct unbecoming to a member or Registered Organisation of the Institute and may offer advice and support for their necessary professional development, or implement a sanction up to and including expulsion from membership or removal from registration.

The Institute from time to time produces written standards and guidance for specific areas of historic environment work; they indicate how a member undertaking such work may best comply with this Code. Departure from the Standard is likely to be construed as a breach of the Code; departure from the guidance may be acceptable if circumstances justify it and the action taken is consistent with the provisions of this Code, but the rationale should be documented. The Institute from time to time publishes policy statements, including on the interpretation of rule 1.1 of the Code regarding bringing archaeology or the Institute into disrepute, to which members, applicants, ClfA committees and panels are expected to give due regard.

All members are advised to respect such standards, guidance and policy statements in the interests of good professional practice; a full list of the ClfA Standard and guidance documents published to date will be found on the ClfA website.

Where an allegation is made that a Registered Organisation has breached a provision of the Code, such Registered Organisation shall not be held to have breached the Code where it is able to demonstrate, to the satisfaction of the Institute or any professional conduct panel appointed by the Institute in accordance with the Professional Conduct Regulations in place from time to time, that it has taken reasonable steps to ensure that its staff comply with the Code. Reasonable steps shall include, but are not limited to, ensuring that staff are made aware of and receive suitable training in appropriate standards and guidance relevant to their role and experience, given sufficient instructions on how to carry out their duties, and receive adequate supervision and support in order to deal with any problems that arise.

Regulation: Code of conduct

Principle 1

A member shall adhere to high standards of ethical and responsible behaviour in the conduct of archaeological affairs.

Rules

- 1.1** A member shall conduct themselves in a manner which does not and is not likely to bring archaeology or the Institute into disrepute.
- 1.2** A member shall be mindful of their duties to society, to those that could benefit from their work, to clients and commissioners, colleagues and helpers, to the profession and to themselves; when applying their judgement to balance differing demands they shall give due regard to their fundamental responsibility to the interests of the public.
- 1.3** A member shall present archaeology and its results in a responsible manner and shall avoid and discourage exaggerated, misleading or unwarranted statements about archaeological matters.
- 1.4** A member shall not offer advice, make a public statement, or give legal testimony involving archaeological matters, without being as thoroughly informed on the matters concerned as might reasonably be expected.
- 1.5** A member shall not undertake archaeological work for which they are not adequately qualified. A member shall have regard to their skills, proficiencies and capabilities and to the maintenance and enhancement of these through appropriate training and learning experiences. A voting member shall ensure that they carry out a minimum of 50 hours of continual professional development activity in any two-year period and shall be able to provide evidence of this to the Institute on request and according to such procedures required by the Board of Directors. A member shall inform current or prospective employers or clients of inadequacies in their qualifications for any work which may be proposed; they may of course seek to minimise such inadequacies by acquiring additional expertise, by seeking the advice or involvement of associates or consultants, or by arranging for modifications of the work involved; similar considerations apply where a member, during the course of a project, encounters problems which lie beyond their competence at that time. They should ensure in all cases that adequate support, whether of advice, personnel or facilities, has been arranged for any historic environment project in which they may become involved.
- 1.6** A member shall give appropriate credit for work done by others and shall not commit plagiarism in oral or written communication, and shall not enter into conduct that might unjustifiably injure the reputation of another archaeologist.
- 1.7** A member shall know and comply with all laws applicable to their archaeological

activities whether as employer or employee, and where appropriate with national and international treaties, conventions and charters including annexes and schedules.

- 1.8** A member shall not knowingly be employed by, or otherwise contract with, an individual or entity where the purpose of the contract is directly to facilitate the excavation and/or recovery of items from archaeological contexts for sale, and where such sale may lead to the irretrievable dispersal of the physical and/or intellectual archive, or where such sale may result in an undispersed archive to which public access is routinely denied.
- 1.9** A member shall abstain from, and shall not sanction in others, conduct involving dishonesty, fraud, deceit or misrepresentation in archaeological matters, nor knowingly permit the use of their name in support of activities involving such conduct.
- 1.10** A member, in the conduct of their archaeological work, shall neither offer nor accept inducements which could reasonably be construed as bribes.
- 1.11** A member shall not reveal confidential information unless required by law; nor use confidential or privileged information to their own advantage or that of a third person. A member shall also exercise care to prevent employees, colleagues, associates and helpers from revealing or using confidential information in these ways. Confidential information means information gained in the course of the project which the employer or client has for the time being requested be held inviolate, or the disclosure of which would be potentially embarrassing or detrimental to the employer or client. Information ceases to be confidential when the employer or client so indicates, or when such information becomes publicly known. Where specifically archaeological information is involved, it is however the responsibility of the member to inform the employer or client of any conflict with their own responsibilities under Principle 4 of the Code (dissemination of archaeological information) and to seek to minimise or remove any such conflict.
- 1.12** A member shall take into account in the planning and execution of historic environment projects the legitimate concerns of individuals or group(s) about places, objects, human remains or intangible heritage that they believe to hold significant cultural or religious meaning or connotations, provided that the member knew or reasonably ought to have known about those concerns. Members shall consult where appropriate with those affected individuals or group(s), with the goal of establishing a mutually beneficial working relationship.
- 1.13** A member has a duty to ensure that this Code is observed throughout the membership of the Institute, and also to encourage its adoption by others. A member's duty to ensure that the Code of conduct is observed includes providing information in response to a request from the Chair or their nominee, and/or giving evidence to such panels and hearings as may be established for the purposes of investigating an alleged breach of the Institute's by-laws. This requirement is without prejudice to the provisions of Rule 1.11 regarding confidential information. A member shall ensure, as far as is reasonably practical, that all work for which they are directly or indirectly responsible by virtue of their position in the organisation undertaking the work, is carried out in accordance with this Code.

1.14 A member may find themselves in an ethical dilemma where they are confronted by competing loyalties, responsibilities or duties. In such circumstances a member shall act in accordance with the Principles of the Code of conduct.

1.15 A member shall work towards the development and continuous improvement of the profession by contributing to, and challenging, existing knowledge and professional practice where appropriate, by devising and validating new techniques, by ensuring that others benefit from the member's own experience and knowledge and by using their best endeavours to foster a culture of continuous professional development and career progression.

Principle 2

The member has a responsibility for the conservation of the historic environment.

Rules

2.1 A member shall strive to conserve archaeological sites and material as a resource for study and enjoyment now and in the future and shall encourage others to do the same. Where such conservation is not possible they shall seek to ensure the creation and maintenance of an adequate record through appropriate forms of research, recording, archiving of records and other relevant material, and dissemination of results.

2.2 Where destructive investigation is undertaken, particularly in the case of projects carried out for pure research, the member shall ensure that it causes minimal attrition of the historic environment consistent with the stated objects of the project. In all projects, whether prompted by pure research or the needs of rescue, consideration shall be given to the legitimate interests of other archaeologists; for example, the upper levels of a site should be conscientiously excavated and recorded, within the exigencies of the project, even if the main focus is on the underlying levels.

2.3 A member shall ensure that the objects of a research project are an adequate justification for the destruction of the archaeological evidence which it will entail.

Principle 3

The member shall conduct their work in such a way that reliable information about the past may be acquired, and shall ensure that the results be properly recorded.

Rules

3.1 The member shall keep themselves informed about developments in their field or fields of specialisation.

3.2 A member shall prepare adequately for any project they may undertake.

- 3.3** A member shall ensure that experimental design, recording, and sampling procedures, where relevant, are adequate for the project in hand.
- 3.4** A member shall ensure that the record resulting from their work is prepared in a comprehensible, readily usable and durable form.
- 3.5** A member shall ensure that the record, including artefacts and specimens and experimental results, is maintained in good condition while in their charge and shall seek to ensure that it is eventually deposited where it is likely to receive adequate curatorial care and storage conditions and to be readily available for study and examination.
- 3.6** A member shall seek to determine whether a project they undertake is likely detrimentally to affect research work or projects of other archaeologists. If there is such a likelihood, they shall attempt to minimise such effects.

Principle 4

The member has responsibility for making available the results of archaeological work with reasonable dispatch.

Rules

- 4.1** A member shall communicate and cooperate with colleagues having common archaeological interests and give due respect to colleagues' interests in, and rights to information about sites, areas, collections or data where there is a shared field of concern, whether active or potentially so.
- 4.2** A member shall accurately and without undue delay prepare and properly disseminate an appropriate record of work done under their control, which may include the deposition of primary records and unpublished material in an accessible public archive. A member shall not initiate, take part in or support work which materially damages the historic environment unless reasonably prompt and appropriate analysis and reporting can be expected. Where results are felt to be substantial contributions to knowledge or to the advancement of theory, method or technique, they shall be communicated as soon as reasonably possible to colleagues and others by means of letters, lectures, reports to meetings or interim publications, especially where full publication is likely to be significantly delayed.
- 4.3** A member shall honour requests from colleagues or students for information on the results of research or projects if consistent with their prior rights to publication and with their other archaeological responsibilities. Archaeologists receiving such information shall observe such prior rights, remembering that laws of copyright may also apply.
- 4.4** A member is responsible for the analysis and publication of data derived from projects under their control. While the member exercises this responsibility they shall enjoy consequent rights of primacy. However, failure to prepare or publish the results within 10 years of completion of the fieldwork shall be construed as a waiver of such rights, unless

such failure can reasonably be attributed to circumstances beyond the member's control. It is accepted that the movement of archaeologists from one employment to another raises problems of responsibility for the publication of projects. This ultimate responsibility for publication of a piece of work must be determined either by the contract of employment through which the work was undertaken, or by agreement with the original promoter of the work. It is the responsibility of the member, either as employer or employee, to establish a satisfactory agreement on this issue at the outset of work.

- 4.5** A member, in the event of their failure to prepare or publish the results within 10 years of completion of the fieldwork and in the absence of countervailing circumstances, or in the event of them determining not to publish the results, shall if requested make data concerning the project available to other archaeologists for analysis and publication.
- 4.6** A member shall accept the responsibility of informing the public of the purpose and results of their work and shall accede to reasonable requests for access to sites (within limitations laid down by the funding agency or by the owners or the tenants of the site, or by considerations of safety or the wellbeing of the site) and for information for dispersal to the general public.
- 4.7** A member shall respect contractual obligations in reporting but shall not enter into a contract which prohibits the member from including their own interpretations or conclusions in the resulting record, or from a continuing right to use the data after completion of the project. While a client employer may legitimately seek to impose whatever conditions of confidentiality they wish, a member shall not accept conditions which require the permanent suppression of archaeological discoveries or interpretations.

Principle 5

The member shall recognise the aspirations of employees, colleagues and helpers with regard to all matters relating to employment, including career development, health and safety, terms and conditions of employment and equality of opportunity.

Rules

- 5.1** A member shall give due regard to the requirements of employment legislation relating to employees, colleagues or helpers.
- 5.2** A member shall give due regard to the requirements of health and safety legislation relating to employees or to other persons potentially affected by their archaeological activities.
- 5.3** A member shall give due regard to the requirements of legislation relating to employment discrimination on grounds of race, sex, age, disability, sexual orientation or religious belief.

- 5.4** A member shall ensure that adequate insurance cover is maintained for persons or property which may be affected by their archaeological activities.
- 5.5** A member shall give due regard to the welfare of employees, colleagues and helpers in relation to terms and conditions of service. They shall give reasonable consideration to any ClfA recommendations on pay and conditions of employment, and should endeavor to meet or exceed the ClfA recommended salary minima.
- 5.6** A member shall give reasonable consideration to cumulative service and proven competence of employees, colleagues or helpers when deciding rates of remuneration and other employment benefits, such as leave.
- 5.7** A member shall have due regard to the rights of individuals who wish to join or belong to a trade union, professional or trade association.
- 5.8** A member shall give due regard and appropriate support to the training and development of employees, colleagues or helpers to enable them to execute their duties.
- 5.9** A member shall not behave in a way, repeated over time, that is intended or likely to hurt an individual employee, colleague or helper, or group of employees, colleagues and helpers, physically or emotionally.