

# Code of Ethics

## Preamble

Archivists can be involved in records and systems management and design, they appraise, select and acquire, control, arrange and describe, preserve, and make available records that have lasting value to the organisation or public they serve.

Archives are those records of any individual or organisation which are no longer required for current use but have been selected for permanent preservation because of their evidential or informational value.

Archivists commonly perform their duties in accordance with broad statutory authorisation or institutional policy. It is by no means unusual, however, for archivists (be they tenured or not) to have no formal records, archives or information policies to guide them. As employees archivists are bound to conform to employer expectations of, standards for or directions about, matters like demeanour and obedience, handling of confidentiality or privacy issues, resourcing levels, and these may conflict with professional standards.

One of the Society's objectives is "To establish and maintain standards of archival practice and administration and of professional conduct amongst archivists" (ASA Rules, 3 (iii)). This Code articulates the responsibilities, and the expected conduct, of archivists.

The Code seeks to establish minimum standards of conduct for all. It includes several clauses that serve to remind archivists of their wider responsibilities in the business world, to the law, and as managers, scholars and teachers. The Code is intended to provide guidance about issues and problems of professional conduct irrespective of the circumstances in which individual archivists may find themselves. The Code is designed to assist individuals to assess and analyse their situations and behaviour. The Code is also designed to assist the profession and the Society to identify dissonant situations or behaviour. Reference to or application of the Code in this latter circumstance must be handled sensitively, on the basis of all the facts and in accordance with the Society's Rules.

The Code largely excludes matters which are more appropriately regulated by institutions or which require a discretionary response, such as archival processing (arrangement, description, finding aids, conservation), reading room rules and interpersonal relations with readers and donors.

This Code was adopted by the Society at the Annual General Meeting held at Melbourne on 17 June 1993.

## Code of Ethics

### 1. Legal Responsibilities

#### *"1.1 Laws relating to information"*

*"1.1.1 Archivists take care to know of, and endeavour to comply with, legal requirements pertaining to the creation, disposal, access and copying of data regardless of format."*

## 2. Professional Responsibilities and Conduct

### *"2.1 Appointments, recommendations and inducements"*

*"2.1.1 Archivists shall engage, or advise an employer or client to engage, other experts and specialists whenever the employer's or client's interests would be better served by such service. Archivists shall not accept a concealed fee for referring a client or employer to a specialist or for recommending services other than their own."*

*"2.1.2 Archivists apply objective criteria to all matters of appointment, promotion and award without reference to race, colour, sex, sexual orientation, politics, political activities, religion, national origin or beliefs."*

*"2.1.3 Archivists shall not accept substantial favours from persons or organisations who deal with their employers or clients."*

*"2.1.4 Archivists declare relevant commercial interests, whether their own or their employer's, when information is requested or demonstrations are given concerning equipment or services related to their own expertise."*

*"2.1.5 Archivists, asked for guidance respecting the choice of specialist consultants, dealers or suppliers, should minimise any liability implicit in making recommendations by maintaining lists of such persons from which enquirers may make their own selections."*

*"2.1.6 Archivists employed in repositories shall accept, on behalf of their institutions, only those authorised institutional fees and charges for services rendered that are laid down."*

### *"2.2. Criticism and complaints"*

*"2.2.1 Archivists avoid irresponsible criticism of other archivists or institutions and address complaints about professional or ethical conduct to the individual or institution concerned or to an appropriate professional organisation."*

### *"2.3. Injury to repute"*

*"2.3.1. Archivists shall not through negligence or malice injure directly or indirectly the reputation, prospects or business of another person or organisation."*

### *"2.4. Misrepresentation"*

*"2.4.1 Archivists distinguish clearly in their actions and statements between their personal beliefs and attitudes and those of employing institution or professional body."*

*"2.4.2 Archivists resist pressure from any source to manipulate evidence so as to conceal or distort facts, subject to access provisions expressed in clause 3.6.2."*

*"2.4.3 Archivists shall not make false claims in their curriculum vitae, biographical notices and the like."*

### *"2.5 Advancement of knowledge"*

*"2.5.1 Archivists assist the professional growth of others with less training and experience where appropriate."*

*"2.5.2 Archivists in their professional communications shall make public acknowledgement of the work of others and shall not plagiarise."*

*"2.5.3 Archivists shall not allow their private research and publication interests to interfere with the proper performance of the professional or administrative duties for which they are employed."*

### 3. Professional Responsibilities and the Records

#### *"3.1. Acquisition or transfer"*

*"3.1.1 Archivists ensure that the principles which govern the selection of records for preservation are themselves recorded."*

*"3.1.2 Archivists arrange transfers and otherwise acquire records in accordance with their institution's purpose. They respect the recognised collecting areas of other institutions and do not compete for acquisitions where competition would endanger the integrity or safety of the records concerned."*

*"3.1.3 Archivists advise potential donors about other repositories and special collections when it becomes apparent that items under offer may be more appropriately maintained thereat."*

*"3.1.4 Archivists shall not collect archival materials in competition with their employers; nor shall they act as agents to enable others to do so."*

#### *"3.2 Valuations"*

*"3.2.1 Archivists who are called upon to assign monetary value to archival materials for any purpose be it sale, purchase, exchange, donation, taxation, insurance or export, shall base their appraisals on prevailing fair market values."*

#### *"3.3. Deaccessioning"*

*"3.3.1 Archivists recommend the deaccessioning of archival material only in exceptional circumstances and in any case do not dispose of accessioned items by sale or treaty without the approval of their superiors or governing body where applicable."*

*"3.3.2 Archivists co-operate with enquiries into the provenance of nominated records when there is evidence to suggest that the custodian may not have clear title, albeit that the records have been acquired or retained in good faith."*

#### *"3.4 Preservation"*

*"3.4.1 Archivists encourage the preservation of records in appropriate repositories and make reasonable efforts to ensure the preservation of archival materials that appear to be at risk through neglect, threat of destruction or any other cause."*

*"3.4.2 Archivists endeavour to provide facilities which will ensure the physical safety of records in their custody. They are especially vigilant respecting the most common causes of damage to records in all media, namely fire, excessive light or heat, damp, dryness, dirt and insect or other vermin attack."*

#### *"3.5. Integrity of materials"*

*"3.5.1 Archivists preserve, protect and maintain the integrity of the records in their control and the information contained therein."*

*"3.5.2 Archivists safeguard the records in their care against willful or accidental damage, defacement alteration or theft."*

*"3.5.3 Archivists respect the organic unity and structure of records. They discourage dispersal of records groups, series or collections except when compelled by administrative or other circumstances beyond their control."*

*"3.5.4 Archivists ensure that neither the records in custody nor their value as evidence are impaired by conservation measures, re-arrangement, use, copying or in any other way."*

### *"3.6 Access"*

*"3.6.1 Archivists ensure that anyone entitled to use their services or consult the records in their care may do so without discrimination or preferential treatment, subject to any restrictions in terms of clauses 3.6.2 and 3.6.3."*

*"3.6.2 Archivists observe any restrictions on access to records in their care imposed by legislation, administrative or executive decision, or by owners or donors of the records. They explain pertinent restrictions to potential users and apply them equitably."*

*"3.6.3 Archivists negotiating records transfer or acquisition, discourage restrictions on access or use but may accept as a condition of acquisition clearly stated restrictions of limited duration."*

*"3.6.4 Archivists report to their employers all personal research activities based upon the records in their institution's care. Where possible they refer access requests which may impinge upon their own research to a colleague for attention. Where arbitration is necessary the matter should be resolved internally by the senior archivist or higher authority, subject to the provisions of 3.6.1, 3.7.1 and 3.7.2."*

### *"3.7 Confidentiality and privacy"*

*"3.7.1 Archivists protect the privacy of employers, clients, donors and users with respect to information sought or received and materials consulted."*

*"3.7.2 Archivists do not carelessly betray the research interests of one user to another. Where duplication of research effort is apparent, archivists may take steps to supply names to the individuals concerned provided that all agree."*

*"3.7.3 Archivists respect the rights of donors or informants by appropriate public acknowledgement of their contributions or not, according to their wishes."*

*"3.7.4 Archivists shall not without permission, use any confidential information acquired during the course of their work for personal advantage or for the advantage of a co-worker or a third person. Nor shall an archivist use such information to the disadvantage of employer, donor or client nor disclose such information, except where such disclosure may be justified at law."*

*"3.7.5 Archivists shall protect personal information gained under privilege and contained in records in their custody. Subject to relevant legislation and/or conditions of records transfer, archivists shall neither disclose nor enable others to disclose, personal information that would identify individuals as subjects of case files without their consent."*