

REVISED DRAFT

V 2.1

IfA Standard and guidance for the provision of specialist advice and procurement of services in relation to archaeology and cultural heritage

1. Purpose and scope

- 1.1. The Standard and guidance applies to all IfA members and registered organisations providing advice to the commissioners of services in relation to the historic environment, or procuring services on their behalf, within the same organisation or externally. This includes:
 - 1.1.1. providing advice to a designer or developer on commissioning historic environment services in order to fulfil a planning or other requirement
 - 1.1.2. commissioning historic environment services either from their own organisation or externally
 - 1.1.3. advising a national heritage body commissioning a specific study
- 1.2. This Standard and guidance **does not apply** to archaeological advice given by historic environment services, for which there is a separate Standard and guidance.
- 1.3. The key section of this document is the Standard. It defines the desired outcome; it is only a few lines long and deliberately lacks detail. In part this is because it is impossible to foresee every circumstance in which archaeological advice and procurement may be provided. Nor does the Institute for Archaeologists (IfA) seek to dictate to its members in detail the means by which advice may be provided but to outline procedures by which outcomes or products can be attained, and against which performance can be measured. The archaeologist is left free to make a considered selection of appropriate techniques and to develop new approaches.
- 1.4. Advice is considered as failing to meet the Standard in the following circumstances
 - 1.4.1. where the manner of provision of advice and/or the procurement of services has failed to ensure that the commissioner understands and complies with ethical, legal and policy requirements
 - 1.4.2. where the manner of provision of advice and/or the procurement of services has failed to ensure that the commissioner is aware of the likely resource requirements
 - 1.4.3. where the manner of provision of advice and/or the procurement of services has failed to ensure that the resulting work is fit for purpose and is undertaken

by appropriate experts in accordance with IfA *Code of conduct*, by-laws and Standards & guidance,

- 1.5. Defining 'reasonably possible' (as used in the Standard below) relies on shared professional judgment and values. It is recognised that, despite an advisor's best efforts, a commissioner may choose to ignore or only partially implement their advice; this is why it is important for an advisor to maintain good records of their advice and actions; compliance with the Standard and guidance can then be demonstrated.
- 1.6. The guidance is not binding *per se*, but seeks to define current good practice in the provision of archaeological advice and/or the procurement of services, in line with the by-laws of the IfA, in particular the *Code of conduct* and *Code of approved practice for the regulation of contractual arrangements in archaeology*. It is phrased in terms of 'must', 'should' and 'may'. To ensure attainment of the Standard and adherence to the *Code of conduct* it will almost always be necessary to comply with a 'must' clause. Departures from 'should' clauses require caution, and it is advisable to document the reasons. 'May' clauses reflect that advisors' roles do vary. The guidance seeks to expand and explain general definitions in the Codes, and stands beneath the high-level framework provided by the IfA/ALGAO *Standard and guidance for stewardship of the historic environment*.
- 1.7. This document applies to IfA members' work wherever it is undertaken. Professional practitioners are likely to produce their own yet more detailed handbooks and procedural documents on how they interpret and implement the IfA guidance.
- 1.8. The Standard and guidance applies equally to paid or unpaid archaeologists. For IfA members and Registered Organisations compliance with the Standard is an obligation of membership or registration; failure to meet the Standard may be judged to be in conflict with the by-laws through the Institute's disciplinary or complaints procedures. IfA members are expected to follow the principles set out in the guidance wherever they work and in whatever capacity, as well as complying with national and local requirements.
- 1.9. Professional practice is changing. New methods are being developed, and the circumstances in which archaeological advice is provided are subject to changing legal, administrative and ideological perspectives. Comments and recommendations on this document are welcome at any time.

2. The Standard

2.1. Specialist advice to commissioners of archaeological and other historic environment work will, as far as is reasonably possible, ensure that the

commissioner sufficiently understands and complies with ethical, legal and policy requirements, and is aware of the likely resource requirements.

2.2. The procurement of historic environment services to implement that advice will ensure that work is fit for purpose and is undertaken by appropriate experts in accordance with the IfA Code of conduct, by-laws and Standards and guidance.

2.3. Advice should be clear, compliant, impartial, informed and robust, based on a thoroughly researched and clearly reasoned interpretation of the known or potential significance of the heritage assets concerned.

2.4. The advisor should be suitably qualified, skilled and competent.

3. Ethical obligations

The IfA *Code of Conduct* places general obligations on members as follows

- 3.1. a member shall adhere to high standards of ethical and responsible behaviour in the conduct of archaeological affairs
- 3.2. a member has a responsibility for the conservation of the historic environment
- 3.3. a member shall conduct his or her work in such a way that reliable information about the past may be acquired, and shall ensure that the results be properly recorded
- 3.4. a member has responsibility for making available the results of archaeological work with reasonable dispatch
- 3.5. a 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.
- 3.6. More specifically, in the context of this Standard and guidance, a member may face ethical dilemmas concerned with reconciling the needs of their client with those of the historic environment. A member shall always act with integrity and transparency, but may legitimately challenge the requirements of local or national authorities where these requirements may be considered to be disproportionate or otherwise unreasonable. However, such challenges must be made without unjustifiably understating the significance of the assets affected or the scale of the impact.

4. Procedures

4.1. Provision of Professional Advice

Advisors must

- 4.1.1. maintain high standards of professional conduct, competency and integrity in their working relationships with clients, colleagues, suppliers and other stakeholders
- 4.1.2. only give advice based on a sound understanding of the heritage issues
- 4.1.3. seek to minimise harm to the historic environment and secure the enhancement of significance, even where this may conflict with the commissioner's wishes
- 4.1.4. ensure that any investigation has a defined research objective, complies with the appropriate IfA Standards and guidance and is conducted in a way to optimise a research output proportionate to the nature and results of the investigation
- 4.1.5. ensure that advice is provided in accordance with relevant national, regional and local policies and guidance.

Advisors should

- 4.1.6. ensure that their advice regarding the scope of any assessment of archaeological or cultural heritage significance provided in relation to a development proposal is sufficient to ensure a full understanding of the potential impact of the proposal on the asset's significance. This should include consideration of all aspects of the historic environment and be clearly explained and reasoned. Where IfA members or registered organisations form part of a team, with elements undertaken by other contractors (such as historic building recording, landscape and visual assessment) they should ensure that documented protocols are in place to integrate all relevant aspects
- 4.1.7. ensure that clients are aware of a range of potential solutions and the costs and risks associated with them
- 4.1.8. where possible, promote community engagement with the historic environment, seeking to ensure that archaeological investigation is directed toward providing benefit to the public, whether directly through participation and engagement in the process where it is appropriate to do so or indirectly through the increase in knowledge that the results of investigation provide to the local and wider community. Such engagement should be proportionate to the scale, nature and circumstances of the work
- 4.1.9. where appropriate to the nature and significance of the results, promote in addition to formal publication the use of innovative forms of dissemination which produce wider public benefit than conventional methods of publication. These might include the use of different forms of media, exhibitions or events
- 4.1.10. satisfy themselves that adequate provisions are made for appropriate remuneration, training and health and safety. A recommended way to achieve this is to commission work from IfA Registered Organisations, which are assessed for, amongst other archaeological considerations, their ability to recruit, retain, motivate and develop the skills of appropriately competent expert staff

4.2. Procurement

Those advising the commissioners of archaeological services or procuring those services themselves must

- 4.2.1. satisfy themselves that the proposed programme of work can be delivered to the required standard within the budget that has been identified for it or within the tender price submitted
- 4.2.2. ensure that all parties are aware of the unpredictable nature of buried archaeological evidence and should ensure that appropriate contingency arrangements have been made
- 4.2.3. act with impartiality and integrity in devising and implementing the procurement of archaeological services in a fair, open and transparent manner
- 4.2.4. where the commissioning organisation has not adopted a procurement policy, select a procurement route appropriate and proportionate to the scope of the project
- 4.2.5. procure, or advise their client to procure, services from an organisation that meets the competency, quality standard, resource requirements, and aims appropriate to the proposed project
- 4.2.6. be aware that there are legal responsibilities on those undertaking a procurement
- 4.2.7. ensure that a clear and transparent process exists for dealing with real or perceived conflicts of interest. In particular, archaeologists whose professional responsibilities combine recommendations about investigation and/or management with its execution must clearly indicate the combination of these interests to all relevant parties and ensure formal protocols or codes of practice are put in place to prevent any conflicts of interest.

Those advising the commissioners of archaeological services or procuring those services themselves should

- 4.2.8. define the scope of the project and the nature of the heritage in a clear and concise form to allow potential contractors to prepare their responses
- 4.2.9. consider the cost to suppliers of preparing tender documentation and proposals and only require the submission of relevant information
- 4.2.10. define the selection and award criteria, and the scoring and any weighting to be applied in the invitation to tender

- 4.2.11. consider whether the selection criteria are appropriate and relevant to the project, and whether they may unreasonably exclude competent suppliers [Explanation: requirements such as 'supplying three years of accounts' may exclude new companies for no good reason]
- 4.2.12. select suppliers on a Most Economically Advantageous Tender basis (ie based on a combination of cost and quality), although there may be circumstances where a simple Lowest Price basis can be used for suppliers who have reached a minimum quality threshold
- 4.2.13. provide feedback on the tender result to unsuccessful suppliers, giving the name and price of the selected supplier and the advantages of their proposal

5. Expertise/competence

Those providing advice to the commissioners of archaeological services and/or procuring archaeological services must

- 5.1. be able to demonstrate qualifications, skills and competence appropriate to the projects in which they are involved, including an up-to-date CPD log
- 5.2. ensure that the commissioners concerned are appropriately informed and have access to the necessary specialist advice. The relevant expertise may not be purely archaeological but might also include expertise in project management, spatial planning, consultancy, research, public engagement and presentation.

Those providing advice to the commissioners of archaeological services and/or procuring archaeological services should

- 5.3. only make recommendations on the future of the archaeological resource if they have adequate information to reach an informed judgement.
- 5.4. provide advice on appropriate steps to be taken to acquire such a level of information, including if necessary, the need for further assessment.

6. Resources

Those providing advice to the commissioners of archaeological services and/or procuring archaeological services must

- 6.1. ensure that appropriate resources are available, commensurate to the service undertaken.

- 6.2. ensure that clients make provision for adequate funding, and should highlight the importance of choosing suppliers of archaeological and cultural heritage services based on a range of quality and financial criteria.
- 6.3. ensure that those initiating, sponsoring or commissioning archaeological work understand their responsibility not only for the investigation of the archaeological resource in the field but also for the processing and analysis of the data and finds, appropriate scientific analysis, synthesis, appropriate dissemination of the results, long-term conservation, security of and access to the archive, together with the appropriate financial provision.

Those providing advice to the commissioners of archaeological services and/or procuring archaeological services should

- 6.4. advise on the mitigation of financial and other risks that might result from failing to plan effectively for an proportionate level of investigation.

7. Communication

Those providing advice to the commissioners of archaeological services and/or procuring archaeological services must

- 7.1. ensure that clear communication channels exist between the providers and recipients of advice and those providing archaeological services. All communications must be adequately documented to provide a robust audit trail for contractual and quality management purposes.

8. Monitoring and managing the quality of archaeological work

Those providing advice to the commissioners of archaeological services and/or procuring archaeological services must

- 8.1. ensure the compliance of all archaeological work with IfA Standards and guidance and the agreed specification
- 8.2. undertake monitoring of the above works in accordance with stated policies or contractual agreement, and document and share the results of monitoring in order to provide a robust audit trail for planning, legal and quality management purposes.
- 8.3. seek to ensure that archaeological investigation is undertaken only by practices or individuals that can demonstrate adherence to IfA standards. To facilitate this they should consider requiring that suppliers be professionally accredited by the IfA's Registration scheme

Those providing advice to the commissioners of archaeological services and/or procuring archaeological services should

- 8.4. ensure that a system for reviewing the quality and the outcomes of advice and/or investigation is in place before work is undertaken
- 8.5. monitor the quality of all stages of assessment, investigation and post-investigation work.

Those providing advice to the commissioners of archaeological services and/or procuring archaeological services may

- 8.6. where it is appropriate and justified, consider a greater reliance on self-regulation by archaeological practitioners who are subject to third-party professional accreditation or auditing/quality control through a professional accreditation and auditing process.

Monitoring of archaeological services may also be undertaken by local or national curators, who may discuss technical and compliance issues both on and off site.

- 8.7. Where this might affect any commercial arrangements such as those between a consultant, client and fieldwork contractor, care should be taken not to enter into agreements beyond the authority of the parties involved, such as directly instructing a contractor to vary the scale or scope of investigations.