

Mendoza Review: Historic England's recommendations to DCMS on the future of archaeological archives, March 2018.

1. Summary and recommendations

1.1 This short report provides advice to DCMS in response to Recommendation 27 of the Mendoza Review which asks Historic England to: *'Work with key stakeholders to produce recommendations for DCMS early in 2018, which will improve the long-term sustainability of the archaeological archives generated by developer-funded excavations'*.

1.2 To support our advice, the paper rehearses the latest evidence on the scale of the challenge and it sets out what the archaeological sector needs to deliver on its own behalf in order to ensure a more sustainable future for archaeological archives. However, there are some things the sector cannot achieve without assistance by DCMS, ACE, HLF and Historic England. Without these, Historic England believes that England's successful and vigorous model for commercial archaeology will be unable to function effectively in its delivery of services for developers and that the public's interest in their archaeological heritage will be increasingly undermined. **Our vision is for a flexible and sustainable approach to the creation, compilation, transfer and curation of archaeological archives deriving from the planning process, which maximises their benefit to the public in terms of understanding, learning, participation and enjoyment; in which developers are clear about their responsibilities; in which archaeologists are confident in their decisions about what to select for archive and why; in which all significant archaeological archives can be curated in museums or in supporting publicly accessible repositories; and in which the advantages of digital technologies are fully utilised.**

1.3 Historic England believes that if these recommendations to DCMS are implemented, together with the actions identified for the archaeological sector, it would represent a major step towards securing that vision.

1.4 As the challenge of securing a sustainable future for archaeological archives - and the potential solutions - are a subset of a number of wider challenges facing museums (such as collections at risk; orphaned collections; the legal basis of ownership; and shared infrastructure), we recommend:

1. DCMS, ACE, HLF (and where relevant the National Museums) should ensure that the issue of archaeological archives is addressed by all relevant components of the Mendoza Review Action Plan.

In order to respond to the urgent issues of a lack of museum storage space for archaeological archives; areas of England and its territorial waters for which no museum is actively collecting; types of important artefact which some museums are not collecting; and the shortage of expert archaeological curators, we recommend:

2. DCMS should ask ACE (as the lead development body for museums) to work with HLF and Historic England, to deliver a feasibility study of the viability of establishing additional strategic capacity in terms of publicly accessible repositories for archaeological archives, acting in support of existing museum provision. The feasibility study should examine:

- (a) The respective viability of business and governance models based on national and regional options for this additional capacity, assuming a significant revenue stream is generated as a result of 3 (below);
- (b) The public and research value-added by locating this additional regional or national capacity alongside (or close to) major out-of-London national museum stores such as the Science Museum's at Wroughton or the planned new British Museum store at Reading.
- (c) The potential for regional repositories or a national repository to make more effective use of scarce skills in archaeological archive curation.
- (d) The potential role that may be played by major infrastructure providers in establishing regional archaeological repositories or a national repository.
- (e) The role that may be played by commercial storage solutions, together with the public benefit deriving from them, tested against the Society for Museum Archaeology definition of a publicly accessible repository for archaeological archives¹.

In order to ensure an adequate revenue stream to support the storage and curation of archaeological archives, based on existing planning policy, we recommend that:

3. DCMS should recommend to museums that they should consider charging for the deposition and curation of archaeological archives where they are created as part of the planning process². Any charges should be fully justified and transparent and should be informed by guidance produced by ACE and Historic England. DCMS should also recommend to museums that receipts generated in this way should be directed only to sustaining archaeological archive storage and curation, either in the charging museum itself or in a supporting publically accessible archaeological archive.

¹ The Society for Museum Archaeology has recently defined a publicly accessible repository for archaeological archives as *'An accredited repository for the collection, curation and safe-guarding of archaeological archive material which is pro-actively managed and developed by staff qualified to ensure continued public engagement with, and the best possible access to the archaeological resource, for the purposes of enquiry, exhibition, learning, research, inspiration, enjoyment and general interest.'*

² Defined by the National Planning Policy Framework and by the National Infrastructure Planning and Marine Plans processes.

In order to ensure that the future flow of archives to museums is sustainable, we recommend that:

4. DCMS endorses the action plan agreed by Historic England and key archaeological stakeholders³ intended to improve the sustainability of archaeological archives.

In order to ensure the effective collaborative working of its arms-length bodies on the issue of archaeological archives, we recommend:

5. DCMS endorses the inclusion within a Memorandum of Understanding between Historic England and Arts Council England of measures that set out how the two organisations will work together to implement the relevant recommendations of the Mendoza Review and embrace their mutual interest in archaeological archives, including working together to:

- seek the inclusion of the transfer of title for artefacts derived from excavations within the scope of the Law Commission's proposed project on Museum Collections announced as part of its 13th Programme of Law Reform.
- agree best practice for the handling of exceptional archaeological archives, the conservation and sustainable display and curation of which requires the provision of significant new investment, museum spaces and/or infrastructure.
- ensure that appropriate apprenticeship standards exist which will support the necessary skills required for curation and access to archaeological archives.
- gain a better understanding of the professional, research and public use of archaeological archives as part of any work to evaluate the public value of museum collections.

In order to embrace the efficiencies now presented by digital technologies and a 'digital first' approach and in order to reduce the challenges for museums, we recommend that:

6. DCMS should welcome and endorse guidance from key archaeological organisations that, as soon as practicable, relieves museums of the expectation that they should attempt to curate digital archive material from archaeological projects, in favour of their deposition in a Trusted Digital Repository that will guarantee the preservation and accessibility of digital material, such as the Archaeological Data Service.

The rationale for these recommendations is set out in the remainder of this report.

³ The plan is supported by the advisory panel and individually by: Arts Council England; the Chartered Institute for Archaeologists; the Association of Local Government Archaeological Officers UK Executive; the Board of the Federation of Archaeological Managers and Employers; HS2 Ltd; and the Society for Museum Archaeology.

2. Background

2.1. 'The Mendoza Review: an independent review of museums in England' was published on 14th November 2017. On page 47 of the report, in relation to the archives generated from archaeological excavations, it notes: 'Shortage of storage is becoming a particular issue for museums located near significant construction schemes, particularly national infrastructure projects such as transport links (e.g. HS2)' and that museums 'often do not receive adequate – or sometimes any – additional resources to manage or store such items'.

2.2 The report proposes a more active role for Historic England in the museums sector and, at recommendation 27, asks Historic England to '*Work with key stakeholders to produce recommendations for DCMS early in 2018, which will improve the long-term sustainability of the archaeological archives generated by developer-funded excavations*'.

2.3 In its response to the Review, the Government accepted all its recommendations and, in a letter of 20th November 2017, John Glen, then Minister for Arts Heritage and Tourism, asked Historic England to pursue those recommendations attributed to us.

2.4 In November 2017, Historic England convened a small short-term panel of interested organisations and expert individuals in order to offer advice on formulating its recommendations to DCMS. The group comprised:

- Scott Furlong (Arts Council England)
- Quinton Carroll (Association of Local Government Archaeological Officers, England)
- Jeremy Hill (The British Museum)
- Jan Wills (Chartered Institute for Archaeologists)
- Tim Malim/ Nick Shepherd (Federation of Archaeological Managers and Employers)
- Helen Wass (High Speed 2, to represent big infrastructure development)
- Steve Trow (Chair) Duncan Brown and Barney Sloane (Historic England)
- Alison Kentuck (Receiver of Wreck to represent the marine dimension)
- Gail Boyle of Bristol Museums (Society for Museum Archaeology)
- David Dawson of Wiltshire Museum (as project lead for Seeing the Light of Day⁴)

2.5 The recommendations set out in this report to DCMS are the views of Historic England, endorsed by this advisory panel⁵ and by Historic England's statutory advisory committee (HEAC)⁶. In addition, the advice is individually endorsed by: Arts Council England; the Chartered Institute for Archaeologists; the Association of Local Government Archaeological Officers, UK Executive; the Board of the Federation of Archaeological

⁴ Seeing the Light of Day: Exploring sustainable solutions to archaeological archives is a project funded by Arts Council England and led by the Wiltshire Museum.

⁵ At its 15th March 2018 meeting.

⁶ At its 15th February 2018 meeting.

Managers and Employers; HS2 Ltd; and the Society for Museum Archaeology. We are very grateful to the members of the advisory panel for the assistance and support they have provided to us.

3. Archaeological archives and the Mendoza Review

3.1 Some of the key challenges facing archaeological archives are a subset of a far wider range of challenges for the museum sector, rehearsed in detail in the Mendoza Review report. Several of the recommendations of that report (in addition to number 27) are also of importance in terms of their potential to address the issue of archaeological archives, in particular recommendations 14, 20, 21 and 25:

“14. [ACE will] Develop a clear framework for identifying and responding to museums and collections at risk, in partnership with other sector bodies, including HLF with regard to capital funding....”;

and

“National Lottery funding should support museums in a more strategic fashion. The areas to consider include:

20. Maintaining commitment to funding projects that, ultimately, improve the public offer, including high quality ‘back-of-house’ projects such as collections management, curation and development, storage, and digital infrastructure and digitisation of collections.

21. Strengthening commitment to funding capital projects that will improve the long-term financial sustainability of the museum, including using evaluation to understand which elements of capital improvement drive sustainability and financial success.

25. National Lottery funding should more actively encourage joint projects between museums of all kinds – particularly to finance shared infrastructure and other partnerships that improve museums’ public offer and financial resilience.”

Historic England also noted the references in the Review to:

- The strategic importance of dynamic collections curation and management, especially the ongoing need for museums to adopt ‘a sensible approach to both growing and rationalising collections’ (page 10); and
- The importance of basic building infrastructure or storage projects that protect the collection and the observation that “Storage has suffered underinvestment and lack of maintenance, leaving inadequate facilities with little public access, insufficient space, or poor environmental quality. This has placed valuable collections at risk, or, in a few cases, already resulted in damage” (pages 46-7).

4. Current archaeological practice and the planning system

4.1 Since 1990, planning policy in England has required developers to make provision for the excavation, recording, analysis and publication of important archaeological remains which will be damaged or destroyed by their development projects. The same principles are also enshrined in Paragraphs 126 to 141 of the current National Planning Policy Framework ('Conserving and enhancing the historic environment').

4.2 Paragraph 141 of the NPPF obliges Local Planning Authorities to 'require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible'. An accompanying footnote states that 'Copies of evidence should be deposited with the relevant Historic Environment Record, and any archives with a local museum or other public depository'⁷. Additionally, paragraph 39 of *Managing Significance in Decision-Taking in the Historic Environment. Historic Environment Good Practice Advice in Planning: 2* confirms the need for archive deposition 'in a museum, or other publicly accessible repository'.

4.3 The NPPF's principles in relation to the historic environment are included within the UK Marine Policy Statement which informs the marine planning process and also within the National Policy Statements issued by government departments for various infrastructure sectors.

4.4 Since 1990, a vigorous market has developed in archaeological services, with a large number of commercial practices available to developers. Several thousand important archaeological sites are identified each year in advance of development and selectively excavated with funding provided by developers. In 2015, Melanie Leech, Chief Executive of the British Property Federation, confirmed that: 'This approach has served the development industry well since 1990. Today, developers comfortably take archaeology in their stride. It is now very unusual for archaeological remains to cause a fundamental problem for a well-planned new development scheme' (Foreword to '*Building the Future, Transforming our Past*', Historic England 2015).

5. The importance and public value of archaeological archives

5.1 The commercial archaeology sector in England is now sufficiently robust to have withstood the economic shock of 2007-8, and is currently expanding to support the needs of developers and infrastructure developers such as HS2 Ltd. England's developer-funded model has been adopted widely across Europe and beyond, and Britain is regarded as a pioneer in the field. This development of the archaeological profession has effectively

⁷ See footnote 1.

removed from the taxpayer the burden of funding archaeological recording in advance of development, as was the case prior to 1990, while ensuring important archaeological information and finds are safeguarded and new historical stories contribute to our national identity. The commercial archaeological sector therefore provides a significant benefit to the public.

5.2 Uniquely, amongst the sciences, archaeological investigation destroys its primary evidence during the process of interrogating it. Excavation is, therefore, an unrepeatable experiment and the retention of an archaeological archive is intended to compensate for the fact that a greater social benefit in terms of information gain might have eventually accrued from an archaeological site had it been preserved and interrogated in the future as a result of rapidly developing techniques of investigation and analysis. This places a great deal of importance not only on the prompt and accurate publication of results but also on the documentary and material archives that are retained for future research. These retained archives allow the later reinvestigation by future researchers of the original questions addressed by the excavation. They also allow new research questions to be addressed, as our understanding and techniques improve, and they assist the process of synthesis, which allows new historical narratives to be constructed from the results of multiple investigations. For example, the recent 'Gathering Time' project allowed researchers to significantly reinterpret the Neolithic period in England largely using radiocarbon dates from samples derived from museum archives. Similarly, DNA analysis from retained human skeletal material has recently demonstrated a hitherto unsuspected major displacement of earlier populations on the cusp of the Neolithic and the Bronze Age (see 'Ancient Britons 'replaced' by newcomers <http://www.bbc.co.uk/news/science-environment-43115485>).

5.3 In addition to the importance of archaeological archives for professional archaeologists and academics, they also deliver key benefits for the public: allowing the periodic refreshing of front-of-house museum exhibitions; supporting primary and secondary, as well as higher education teaching; and enabling 'citizen science' and voluntary sector research initiatives. Recent survey has demonstrated that public interest in - and support for - the practice of archaeology continues to be high across Europe, including the UK, with a more than 80% support rate. And the public fascination with archaeological materials has been well illustrated recently by the Museum of London's Cross-Rail exhibition; M Shed's "Bone Lab" in Bristol; and the innovative displays in the Bloomberg Building and London Mithraeum. The public benefit deriving from archives is, however, likely to be greater when the archives are accessible as part of a resource centre, exemplified by the Museum of London Archaeological Archive (<https://www.museumoflondon.org.uk/collections/other-collection-databases-and-libraries/museum-london-archaeological-archive>), rather than simply as a museum store or back-up 'deep-store'.

5.4. Notwithstanding these benefits to professionals, academics and the public, Historic England is clear that rigorous selection of the material to archive and, thereafter, periodic review of what is retained in museums is essential if collections are to remain sustainable and we believe that neither of these processes should be blunted by undue risk aversion.

6. The evidence

6.1 The effective functioning of the commercial archaeological services market described above depends on two contributions from the public sector. Firstly, the provision of expert and impartial archaeological advice during the development management process and, secondly, the role of local museums in the effective storage, management and public interpretation of the finds and records resulting from archaeological investigation. It is the second function to which Recommendation 27 of the Mendoza Review applies and to which this paper responds, the first lying outside its scope.

6.2 The evidence base we have drawn on to establish the nature and the scale of the challenges facing archaeological archives is well developed. It includes four national reports undertaken between 2012 and 2017; a 2017 report based on the situation in the South West of England; and a series of three 2009 reports looking at the situation for marine and coastal archaeology:

- *A survey of archaeological archives held by archaeological practices in England, Scotland and Wales*, by Roland Smith and Adrian Tindall on behalf of the Federation of Archaeological Managers and Employers, November 2012
- *Archaeological archives and museums 2012*, by Rachel Edwards on behalf of the English Heritage, FAME and the Society of Museum Archaeologists, 2012.
- *Museums Collecting Archaeology (England), Report Year 1: November 2016*, by Gail Boyle, Nick Booth and Anooshka Rawden on behalf of the Society for Museum Archaeology and Historic England, 2016
- *Museums Collecting Archaeology (England), Report Year 2: November 2017*, by Gail Boyle, Nick Booth and Anooshka Rawden on behalf of the Society for Museum Archaeology and Historic England, 2017.
- *Seeing the Light of Day: securing a sustainable future for archaeological archives. Summary Report*, Kate Fernie, Paddy McNulty and David Dawson, October 2017
- *Securing a Future for Maritime Archaeological Archives*, the Maritime Archaeology Trust, October, 2009

Key results from these surveys are referred to below but the original reports should be consulted for full details.

7. The challenges

7.1 The challenges facing local museums in relation to archaeological archives arise for a number of reasons including: the process of archive creation and deposition spanning the policy responsibilities of different government agencies; the increased scale of archaeological investigation and consequent pressure on the storage capacity in museums; an inability or unwillingness of some museums to collect certain types of archaeological material; inconsistent approaches to charging for archive deposition; a loss of archaeological curation skills in local museums; the need for archaeological practice to adjust philosophically and methodologically to digital technologies; and problems with the legal framework for the ownership of excavated material. Each of these is considered further below.

7.2 **Divided policy responsibilities**

Strategic advice on the archaeological aspects of the planning system falls within the policy remit of Historic England and museum development policy is led by Arts Council England. The lifespan of an archaeological project from its inception to deposition of its finds and documentation therefore straddles the policy responsibilities of both agencies.

The Mendoza Review has proposed that Historic England play a more active role in the museums sector consistent with its statutory duties and identified archaeological archives as one focus of this activity. In 2018 Historic England will conclude a Memorandum of Understanding on joint working with ACE and archaeological archives will form one strand of this. It is anticipated that *inter alia* this will ensure there is no 'gap' between the two agencies' strategic responsibilities and our recommendation 5 seeks DCMS endorsement for this approach.

7.3 **Storage availability and capacity.**

Recent research has confirmed that over 75,000 archaeological interventions, ranging from trial trenching to full-scale excavation, have been initiated by the planning system, between 1990, when PPG 16 was published, and 2010. Several thousand archaeological interventions now take place every year, the great majority instigated by the planning system but with others arising from research-led and community projects.

This is an order of activity several magnitudes greater than what went before and the most pressing challenge jointly faced by museums and archaeologists is a shortage of appropriate storage space for archaeological archives. This is manifesting itself in: extensive areas of England for which there is no museum able to collect archaeological archives; a shortage of remaining space amongst those museums that are still able to collect; an inability or unwillingness for some museums to accept certain types of archaeological find (such as human remains or material from marine sites); and a backlog of

material held by archaeological practices which, in some cases, is now posing a risk to their business.

In 2012, Edwards reported that 36 museums noted that lack of space might be an issue in terms of future acceptance. Gaps were already apparent in terms of museum collecting areas with no museums collecting from 47 local authorities, plus parts of another four. In the 2016/17 SMA survey, around 50 to 60% of museums reported they are still actively collecting archaeological archives, with around 20% of respondents that have previously collected archaeological archives confirming that they have now stopped doing so. Around 60% of those responding museums that have stopped collecting are provided by local authorities. In both the 2016 and 2017 surveys, lack of space was the most cited reason for ceasing to collect archaeological archives, referenced by c. 70 to 90% of those responding.

Around 70% of museums which are actively continuing to collect and which provided estimates for the 2016 and 2017 surveys have 20 cubic metres or less of space available for archaeological archives and around two thirds believe they will run out of space in 5 years or less at their current rate of collecting.

In 2012, the Federation of Archaeological Managers and Employers (FAME) estimated that there were 9,000 archaeological archives in England that could not be deposited, with an estimated volume of 1,160 cubic metres and an estimated national storage cost of £330,000 annually borne by its members. In 2017, The Seeing the Light of Day survey established that there are over 1,300 cubic metres of archaeological finds and documentary archives awaiting deposition from sites across South West England alone. This illustrates the growing scale of the problem since 2012 and throws the reported limited availability of museum storage space into stark relief.

The current challenge is already being exacerbated by various major infrastructure projects and will become more acute as other aspects of the Government's National Infrastructure Plan come on stream. The panel advising Historic England was aware that HS2 Ltd, the Environment Agency and Highways England are each considering how to manage the pressures arising from various projects for which they are, or will be, responsible.

7.4 Selective deposition and marine archaeological archives

The 2016 and 2017 SMA surveys also revealed that some museums that still accept archives will not accept certain types of material, such as human remains, with a major area of omission relating to marine archaeological archives. A 2009 survey by the Maritime Archaeology Trust demonstrated that:

- Only 17% of museum collection policies include maritime archaeological archives;
- Only 64% of museum collection areas include the coastal and/or marine zone (and a large number of these are the coastal zone to the low water mark rather than the marine zone);

- There are no receiving museums for large areas of the marine zone, meaning that archaeological best practice often cannot be adhered to; and
- The general response to developing capacity for maritime archaeological archives by museums was negative.

7.5 Commercial storage

A change in recent years has been the use of commercial storage providers to meet short term lack of space, and in at least one local authority area, to provide a longer term storage solution. It is important to realise that the requirement is to store in a publically accessible repository; commercial storage by itself does not meet this definition, but as a storage option, either in support of a local body or by itself, can operate as a repository provided appropriate means of public access are readily available through the receiving body.

Use of commercial storage adds a new dimension to supporting the archaeological archiving process with both economic, practical and risk considerations that the user will need to be fully aware of. These include the comparative costs (capital and revenue), means of access, archiving processes, internal operations within the store and interactions with other facilities provided by the receiving body.

7.6 People and skills.

In 2012 Rachel Edwards reported that there were specialist archaeological curators in around 30% of museums contacted and that the effects of local authority cuts were apparent from survey responses. Staff numbers had been reduced, and curators had taken on additional responsibilities for collections or management.

In the 2016 and 2017 surveys, around 50% of respondents cited a shortage of staff resource and staff expertise as a reason for their museum ceasing to collect archives. In 2016, around 35% of museums with responsibility for the care of archaeological archives reported a decrease in staff numbers since 2010. The 2016 survey reported 166.3 FTE specialist posts and the 2017 survey 142.7 FTE posts (although it should be noted that the cohort of respondees in both years was not directly comparable).

Given the pressure on local authority resources, there is no easy response to this challenge. However, the provision of shared strategic storage capability and securing a proportionate income stream for archive curation might allow local authorities too pool resources to support specialist posts. In addition, ACE and Historic England could usefully consider whether the heritage apprenticeships envisaged by the 2015 Culture White Paper may also have a role to play.

7.7 New strategic storage capacity

The provision of additional strategic and publically accessible storage capacity, either regionally or nationally, would allow those museums still collecting archaeological archives

to purchase necessary additional storage space; could address the problem of areas for which there is no actively collecting museum; could address the inadequate collecting regimes for human remains and marine assemblages; and could provide a major resource for researchers and for public engagement. If the capital investment for such an approach could be secured, it would require an adequate revenue stream to be generated (considered further below) and demand for storage space from archaeological practices to become more sustainable (considered in section 8).

Both national and regional models have pros and cons which require further careful exploration. As this is a prime example of the opportunities that could be presented by the type of shared infrastructure envisioned by recommendation 25 in the Mendoza Review, Historic England believes this should be carried out as part of the Review's Action Plan.

7.8 Inconsistent approaches to charging for archive deposition

Paragraph 141 of the NPPF places responsibility on developers to make archaeological archives arising from their development publicly accessible with a local museum or other public depository. Museums are not obliged to accept these archives and the majority already levy charges for doing so. However, the SMA 2016 and 2017 surveys suggest that around 40 to 45% of museums still do not levy charges and the Seeing the Light of Day survey suggests that, where they do so, charges vary significantly (reportedly by a factor of ten).

Given the pressures on museums it seems reasonable for all museums to levy a charge for archive storage and active management on a basis that is proportionate, transparent, based on demonstrable costs, and with any receipts generated ring-fenced for the intended purpose. In return, archaeological practices acting for developers should have a responsibility to minimise those charges to their client through careful selection of what is retained in the archive, undertaken in line with professional best practice.

Historic England, with support from ACE, is commissioning research intended to offer guidance to museums on reasonable and proportionate approaches to charging. This is intended to lead to guidance on which museums could base their archaeological archive charging policy.

7.9 Digital technologies.

It has long been axiomatic for archaeologists that the documentary records for archaeological investigations should be curated alongside the finds in order to preserve an integrated archive. This has presented museums with the challenge of maintaining records on paper, photographic and other specialised recording media as well as archaeological artefacts. More recently, museums have also been expected to curate a variety of (often rapidly obsolete and unstable) digital storage media.

The concept of an integrated archive predates the rise of digital technology and now needs to be re-examined. Increasingly archaeological records are born-digital or digitised before their deposition in an archive and the future challenge is to ensure these records are capable of long-term migration as digital technologies evolve. The *Seeing the Light of Day* report noted that museums are ill-equipped to receive these digital archives, have a poor understanding of what is involved in preserving them and that many are at risk. Equally, it is clear that archaeologists require better and more accessible guidance on approaches to creating digital archives.

The curation of digital archaeological documentary archives should be performed by specialised Trusted Digital Repositories which provide Digital Object Identifier (DOI) services and registration and are charged with the long-term maintenance and migration of digital records, such as the Archaeological Data Service (which already holds over one thousand digital archives). This will still allow researchers using material archives held by museums to consult the documentary archive at the touch of a button, but relieve local museums from the specialised and comparatively costly burden of managing digital archaeological data for the long term. This approach would fit well with the 2017 UK Digital Strategy, with its emphasis on unlocking the power of data; promoting public access to culture digitally; and encouraging all businesses to make best use of digital technologies. It also fits well with the Heritage Information Access Strategy led by Historic England and promoted by the 2015 Culture White Paper and the UK Digital Strategy. Museums should still hold new hard copy documentary archives where these are required, but Historic England believes this should rapidly become a thing of the past, with the commercial archaeological sector leading the way in developing digital approaches.

7.10 Legal framework for ownership

Justifiably, museums do not wish to take responsibility for excavated artefacts for which they do not have ownership. Complexities around the ownership of excavated artefacts; the transfer of title to museums; and the respective roles and responsibilities of landowners, developers, local planning authorities, archaeological practices and consultants and museums is a significant barrier to the smooth transfer of archives.

Following legal advice, Historic England believes that the process could be significantly improved by a clear definition of roles and responsibilities within the current legal framework and a better professional guidance on the subject. We note however that the Law Commission has proposed to undertake a project on Museum Collections, as part of its 13th Programme of Law Reform. Our recommendation 5 proposes that DCMS, Arts Council England and Historic England should encourage the Commission to include the issue of the transfer of title for archaeological material archives within the scope of its project, in order to consider whether reforms to the current legal framework are merited.

7.11 Exceptional collections

Every few years archaeological sites are excavated as part of the planning process (and under other circumstances) that are of exceptional importance, scale and complexity and with such a potential for public display that they require museums to create new display spaces or infrastructure. The recent internationally important site at Must Farm is the latest example of such a site. Current arrangements between Historic England, ACE and the HLF are not seamless and expose the gaps in their respective policies and approaches. This leads to uncertainty and risk on the part of the museum within whose collecting area the excavation takes place. Our recommendation 5 therefore proposes that this is further examined through the mechanism of the Memorandum of Understanding planned between Historic England and ACE, with a view to adopting a more joined-up approach.

7.12 Recommendations to DCMS

1. DCMS, ACE, HLF (and where relevant the National Museums) should ensure that the issue of archaeological archives is addressed by all relevant components of the Mendoza Review Action Plan.

2. DCMS should ask ACE (as the lead development body for museums) to work with HLF and Historic England, to deliver a feasibility study of the viability of establishing additional strategic capacity in terms of publically accessible repositories for archaeological archives, acting in support of existing museum provision. The feasibility study should examine:

(a) The respective viability of business and governance models based on national and regional options for this additional capacity, assuming a significant revenue stream is generated as a result of 3 (below);

(b) The public and research value-added by locating this additional regional or national capacity alongside (or close to) major out-of-London national museum stores such as the Science Museum's at Wroughton or the planned new British Museum store at Reading.

(c) The potential for regional repositories or a national repository to make more effective use of scarce skills in archaeological archive curation.

(d) The potential role that may be played by major infrastructure providers in establishing regional archaeological repositories or a national repository.

(e) The role that may be played by commercial storage solutions and the public benefit deriving from them, tested against the Society for Museum Archaeology definition of a publicly accessible repository for archaeological archives⁸.

⁸ See footnote 1.

3. DCMS should recommend to museums that they should consider charging for the deposition and curation of archaeological archives where they are created as part of the planning process⁹. Any charges should be fully justified and transparent and should be informed by guidance produced by ACE and Historic England. DCMS should also recommend to museums that receipts generated in this way should be directed only to sustaining archaeological archive storage and curation, either in the charging museum itself or in a supporting publically accessible archaeological archive.

4. DCMS endorses the action plan agreed by Historic England and key archaeological stakeholders¹⁰ intended to improve the sustainability of archaeological archives.

5. DCMS endorses the inclusion within a Memorandum of Understanding between Historic England and Arts Council England of measures that set out how the two organisations will work together to implement the relevant recommendations of the Mendoza Review and embrace their mutual interest in archaeological archives, including working together to:

- seek the inclusion of the transfer of title for artefacts derived from excavations within the scope of the Law Commission's proposed project on Museum Collections announced as part of its 13th Programme of Law Reform.
- agree best practice for the handling of exceptional archaeological archives, the conservation and sustainable display and curation of which requires the provision of significant new investment, museum spaces and/or infrastructure.
- ensure that appropriate apprenticeship standards exist which will support the necessary skills required for curation and access to archaeological archives.
- gain a better understanding of the professional, research and public use of archaeological archives as part of any work to evaluate the public value of museum collections.

6. DCMS should welcome and endorse guidance from key archaeological organisations that, as soon as practicable, relieves museums of the expectation that they should attempt to curate digital archive material from archaeological projects, in favour of their deposition in a Trusted Digital Repository that will guarantee the preservation and accessibility of digital material, such as the Archaeological Data Service.

⁹ Defined by the National Planning Policy Framework and by the National Infrastructure Planning and Marine Plans processes.

¹⁰ See footnote 3.

8. What archaeologists need to do: a twelve point plan for sustainable archaeological archives.

8.1 Archaeologists must take responsibility for many of the actions necessary to ensure a sustainable future for archaeological archives and, in this section, we set out a twelve point plan for the sector that we believe is required to achieve this. We are delighted that this has been endorsed by the advisory panel convened to help Historic England formulate its advice and individually by: Arts Council England; the Chartered Institute for Archaeologists; the Association of Local Government Archaeological Officers, UK Executive; the Board of the Federation of Archaeological Managers and Employers; HS2 Ltd; and the Society for Museum Archaeology. We are also pleased to note that many of the actions it describes are already in hand.

8.2 The recommendations to DCMS set out at the start of this report and in section 7 are, therefore, focused on only those areas that the profession *cannot* resolve for itself and where it requires assistance from DCMS and its arm's-length bodies. We have also recommended, however, that DCMS endorses the sector action plan to signal the importance it attaches to the sector addressing these issues as a key part of an integrated and flexible strategy for archaeological archives, which would ensure their sustainability for the foreseeable future.

8.3 The plan comprises 12 actions, as follows:

1. **Professional Standards and Guidance.** With support from Historic England and others, the Chartered Institute for Archaeologists should update its professional Standards and Guidance to provide up-to-date best practice advice on the sustainable creation, management, compilation and transfer of archaeological archives.
2. **Best practice in planning.** With support from Historic England and others, the Association of Local Government Archaeological Officers should identify current best practice in archaeological advice on the planning process and promulgate it through joint sector guidance on best practice for archaeological archives (see 7 below).
3. **Advice on the costs of archival deposition, storage and curation.** Historic England and Arts Council England should issue advice to museums, in line with planning policy, on approaches to appropriate and reasonable charging by museums for the collection, storage and curation of archaeological archives in a publically accessible repository. This should inform joint sector guidance on best practice for archaeological archives (see 7 below).
4. **A 'digital first' approach to archaeological archives.** Archaeological practitioners should move as quickly as practicable to a 'digital first' approach for the documentary elements of archaeological archives. In addition, museum records should be better integrated with Historic Environment Records, as part of the Heritage Information Access

Strategy led by Historic England. These approaches should also be reflected in joint sector guidance on best practice for archaeological archives (see 7 below).

5. **Digital archives and museums.** Historic England and Arts Council England should recommend that local museums are relieved of the expectation that they will maintain the digital documentary archive for future archaeological interventions, in favour of deposition in a Trusted Digital Repository in receipt of the Data Seal of Approval¹¹ that will guarantee the preservation and accessibility of digital material, such as the Archaeological Data Service.

6. **Framework for legal ownership.** Historic England, the Federation of Archaeological Managers and Employers and others should investigate the opportunities within the current legal framework to improve the ease with which archaeological archives can be transferred from landowners and developers to museums (or other publically accessible collections) and this should inform joint sector guidance on best practice for archaeological archives (see 7 below). The sector should also work with ACE to encourage the Law Commission to consider potential reforms to the current framework.

7. **Joint sector best practice guidance.** Coordinated by the Chartered Institute for Archaeologists, key organisations in the sector should issue combined guidance, in line with current international best practice, on archaeological archive selection, creation, management, and review, which also embraces best practice in the planning process; the handling of digital documentary archives; advice on the appropriate charging regimes; as well as demonstrating and advocating the public value of archaeological archives.

8. **New approaches to selection.** The archaeological and higher education sectors should work more closely in order to inform strategies for archaeological archive compilation, focussing on the contribution that new technologies can bring to the selection and preservation of archaeological materials.'

9. **Regional Research Frameworks.** Archaeological archives should be seen as a key component of the archaeological resource referenced by the next generation of regional research frameworks.

10. **Museums collecting archives.** Historic England, working with others, should continue to monitor the capacity of museums to accept archaeological archives in 2018 and at appropriate intervals thereafter in order to inform improvements in policy and practice and evaluate their effectiveness.

11. **Patterns and frequency of archaeological archive usage.** As part of any efforts to gain a wider understanding of public access to and use of museum collections, Arts Council England, working with Historic England and the Society for Museum Archaeology, should

¹¹ <https://www.datasealofapproval.org/en/>

monitor and assess access and use of archaeological archives held by museums in order to inform improvements in policy and practice and evaluate their effectiveness.

12. **Archive retention reviews.** In order to ensure the sustainability of collections, museums should include archaeological archives within their overall collections review and rationalisation strategies. Historic England should complete its current pilot projects on the rationalisation of historic archaeological archives and translate any lessons learned into joint sector guidance on best practice for archaeological archives (see 7 above)

Steve Trow
Director of Research
Historic England
29th March 2018