International Council on Archives

Section of Records Management and Archives Associations

Questionnaire on the ICA Code of Ethics: Results and Recommendations

June 2008

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1   Background

One of the resolutions passed at the CITRA meeting in 2006 was 'to ask for the revision of the ICA Code of Ethics as a fundamental reference for the guidance of individual archivists'. The current Code, passed at the General Assembly of the ICA at its meeting in Beijing, China in 1996, had since been adopted by many associations worldwide, and to date has been translated into 25 languages. It is available on the ICA website: www.ica.org.

In order to determine how the Code has been used, a questionnaire was complied (in English, French and Spanish) and distributed by members of the SPA Steering Committee and SPA member associations, as well as posted on various national listservs and the central ICA website. The questionnaire is attached to this report.

2   Analysis of results

2.1   Number of questionnaires received

In all, 150 responses were received: 66% came from within the EURBICA branch; the remainder from members in NAANICA; PARBICA; ESARBICA; ARBICA; EASTICA; and ALA. The replies revealed that:

- Knowledge of the Code was widespread, as 120 out of 150 respondents were aware of its existence. Of the 30 who were unaware, 50% were members of EURBICA.
- Most respondents were made aware of the Code via a variety of sources. Primarily from their own professional associations and/or the ICA website, but also from their employers or colleagues. Other sources quoted were: professional journals; listservs; archival training programmes; personal research; and, somewhat worryingly, from the questionnaire.
- 83 of the respondents were aware that their associations had adopted the ICA Code; 46 replied either that it had not, or that they did not know.
- 50% of respondents noted that their associations had their own code of ethics (45) or of conduct (30).
- More than 50% of respondents had faced an ethical dilemma in the course of their career. Section 2.2 will outline these issues in more detail.
- Most used a variety of methods to help them solve the issue. In order of preference, these were: existing law; personal decision; similar cases/advice from colleagues; ICA Code of Ethics; Code of individual professional association.
- Of those who used the ICA Code and found it useful, it was because it either helped them clarify the situation and/or reinforced their original opinion.

- Of those who did not find it useful, this was because it was seen as being too general/theoretical; and especially because it could not be related to the dilemma the respondent was facing.

2.2   Ethical dilemmas faced

Not every respondent chose to give details of the dilemma they had faced, although a gratifying number did. Often respondents cited various issues they had met with:

- The major issue faced by the respondents was over access: this covered equal access; refusal of access; journalistic pressure to allow access to closed or restricted material; depositor wishing to restrict access to named individuals; access vs privacy.
- Retention/destruction issues: mostly instructions to destroy material believed to be politically/personally damaging
- Disputes between archivists, librarians and museums colleagues.
- Professional disputes over listing to ISAD (G) standards, or employment of non qualified staff.
- Creating agency refusing to deposit and/or attempting to attach unreasonable conditions to the deposit.
- Demand for restitution of material.
- Copyright
- Attempted bribery of archivist to alter documents.

2.3   Origins of dilemma

The questionnaire asked from where the ethical dilemma had arisen. Responses were evenly divided, and many respondents cited several sources. In order of frequency these were: national and local government and users (36 cases each); employers (30 cases); creating agencies (26 cases); other archives/archivists (22 cases); other professions (16 cases); and finally private owners (15 cases).

2.4   Existing legislation

The questionnaire sought information on the existence of legislation covering archives: nearly all respondents noted that their country had legislation covering the care of archives (134); Freedom of Information (121); Data Protection (120); and Personal Privacy (123).

However, 59 respondents noted that this legislation did not protect the archivist/records manager.

2.5   Primary loyalty of the archivist/records manager

The questionnaire asked respondents to state where their primary loyalty lay: most were unable to narrow this to one of the choices offered. The order of importance indicated by the replies is: the law; the documents; the profession; the

service/institution; and finally the employer. Other responses offered were: the citizens and the truth.

3   Major conclusions

- Knowledge of the ICA Code is clearly widespread, although a small number of respondents were unaware of its existence.
- Most people facing an ethical dilemma turned in the first instance to existing legislation to help them. The ICA Code was not their first point of reference.
- When the Code was used, it helped the individual to clarify the situation and/or reinforced their original opinion.
- When it was not useful, it was mostly because the individual could not relate it to their particular dilemma.

4   Recommendations

- The Code does not need major revision: the ethical principles it lays out remain relevant.
- However, in order to make the Code more immediately useful, it should have more supporting, illustrative material which would allow members to see clearly how it can be applied to any individual situation. A useful starting point for this would be the excellent session organised by the Netherlands Society at the Vienna Congress in 2004.
- Regular training sessions on how to apply the Code to specific situations should be established. This should be a joint project between SPA, SAE and the branches.

Margaret Turner

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Survey Questions

- Have you heard of the ICA Code?

- Has your professional association adopted it?

- Have you had to deal with an ethical dilemma in the course of your work?

- How did you resolve it? Professional code, legislation, personal decision, advice from colleagues, etc.

- Was the ICA Code useful? Did it clarify things, reinforce my decision, change my mind?

- Was it too general, inapplicable, or in conflict with my personal opinion?

- Does your country have legislation on care of archives, FOI, data protection, privacy?

- Does this legislation protect archivists/records managers?

- Is your primary loyalty to the documents, the profession, the law, your employer, your service/institution?