IAC Archaeology

SCOPING EXERCISE ON THE CREATION OF PROFESSIONAL STANDARDS AND GUIDANCE FOR ARCHAEOLOGICAL PRACTICE IN IRELAND

ON BEHALF OF: INSTITUTE OF ARCHAEOLOGISTS OF IRELAND

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Summary

This report is the output for Milestone 2 in the scope of the works for this review. It includes an overview of professional archaeological practice in Ireland, its standards and legislative context. This is followed by a discussion in the light of the findings of the Milestone 1 Report.

Five draft recommendations are offered to IAI, each summarised below.

Draft Recommendation 1 is that IAI seeks the views of regulatory bodies in Northern Ireland and the Republic of Ireland as part of a review of professional eligibility requirements and the provision of aligned professional awards for professional archaeological practice.

Draft Recommendation 2 is that IAI reviews and updates its current provision of Codes, with regard to a number of factors including Codes applicable to members and where a specific Code should be applicable to IAI Officers. This should, as a minimum, include its current *Code of Conduct for Treatment of Human Remains.*

Draft Recommendation 3 is that IAI promotes or undertakes research in Northern Ireland and Republic of Ireland to create an evidence base for cases related to (a) ethical issues and professional archaeological practice and (b) non-compliance with standards.

Draft Recommendation 4 is that IAI reviews and designs the overall organisational model for provision of support to professional archaeological practice in Ireland.

Draft Recommendation 5 covers document management and templates for IAI Standards and Guidance documents (included as Appendix 1 and Appendix 2).

CONTENTS

1   INTRODUCTION

This report completes Milestone 2 of the current scoping exercise on the creation of professional standards and guidance for archaeological practice in Ireland being undertaken by IAC Archaeology on behalf of the Institute of Archaeologists of Ireland (IAI) and the National Monuments Service (NMS) of the Department of Housing, Local Government and Heritage (DHLGH). This reported was produced by John Ó Néill for IAC Archaeology.

The scoping exercise is to provide a review of currently applicable standards and guidance documents for archaeological practice both in Ireland and internationally. Firstly, this is to establish which documents are in existence currently and, secondly, to assess their applicability to the current needs of the archaeological profession in Ireland with regard to appropriate standards of professional practice.

The context of this review is to further the recommendations of the *Archaeology 2025* report, produced by the Royal Irish Academy in 2016 in collaboration with stakeholders across the profession. This report had identified a sustainable, strategic pathway towards understanding, enjoying and protecting the potential benefits of archaeology. Recommendation 2.3 for the Core Objectives of Pillar 2 in the report was to '*Encourage state recognition of the IAI as the professional body with a role in the regulation and conduct of archaeology*'. The further development of professional codes of conduct by the Institute of Archaeologists of Ireland (IAI) is recognised as a key step towards delivering on the report's Pillar 2 Core Objectives, including a qualification-based definition of archaeologists (2.4), improved career development (2.5) and increased CPD opportunities (5.4).

The methodology applied for this review is set out in the following section (Section 2).

This scoping review included a Milestone 1 report with an inventory of relevant documents (Section 3 in the Milestone 1 report, Appendix 3 in this report), a gap analysis (Section 4 in the Milestone 1 report, Appendix 4 in this report) and case studies (Section 5 in the Milestone 1 report, Appendix 5 in this report).

2   METHODOLOGY

2.1   SCOPE OF WORK: MILESTONES 1 AND 2

The methodology for Milestone 1 and 2, as set out in the project request for tender, identified the following scope of works:

- Compile extensive list of currently applicable (a) standards and (b) guidance documents for archaeological practice available in Ireland.
- Identify gaps in these working standards and guidance documents in Ireland.
- Compile list of currently applicable (a) standards and (b) guidance documents for archaeological practice available in other jurisdictions (focused on English speaking world and material available in English) and international standard setting bodies (both inter-governmental and non-governmental) to identify particularly relevant and accessible material.
- Milestone 1 - present initial report to IAI on above and agree with IAI what material is to be reviewed in detail (in consultation with NMS).
- Milestone 2 - an overview of the archaeological profession and practice in Ireland and, current and emerging legislative contexts of professional archaeological practice in Ireland and internationally, analysis of the Milestone 1 outputs and recommendations to IAI on how it might further the Core Objectives of Archaeology 2025

2.2   METHODOLOGY: INVENTORY

For this report, a literature review was undertaken to identify and inventory relevant documents that relate to archaeological practice in Ireland. This was mainly documents applicable to work carried out under licence to the National Monuments Service and the National Museum of Ireland, and the current legislation under which they operate. However, the scope did include all existing IAI guides, codes of conduct and other guidance provided by organisations that procure archaeological services, guidance on ethical practices from the Heritage Council, ICOMOS and any further recommended bodies, in Ireland and internationally.

Documents that were not designed for use by professional archaeologists, such as advice to the public or non-specialists, were not included in this report.

The inventory includes documents from the following organisations in the Republic of Ireland: Institute of Archaeologists of Ireland, Heritage Council, Irish Museums Association, National Monuments Service, National Museum of Ireland and Transport Infrastructure Ireland; and in Northern Ireland: Historic Environment Division, Dept for Communities NI.

The inventory includes documents from the following international organisations: Agentschap Onroerend Erfgoed (Belgium), Association of Professional Archaeologists of Ontario (Canada), Australian Association of Consulting Archaeologists Inc (Australia), Chartered Institute for Archaeology (UK and Germany), European Association of Archaeologists (Europe),

Nederlandse Vereniging van Archaeologen (Netherlands) and the Register of Professional Archaeologists (North America).

International organisations with documents that were not included in the inventory are noted here, with a brief explanation. The Association of Bulgarian Archaeologists (Fubular) has an on-line presence but mainly co-ordinates professional networks and provides a platform for heritage-related lobbying.[1] It currently doesn't appear to have published its own ethics, standards or guidance documents. The largest professional network of archaeologists in Germany is the Deutsche Gesellschaft für Ur- und Frühgeschichte (German Society for Prehistory and Early History).[2] It has statutes for members rather than for more general professional practice and also acts as a heritage-related lobby group and co-ordinates a range of activities. The Foreningen af Fagarkæologer is the body for professional archaeologists in Denmark.[3] It has statutes for members and has conducted research on archaeological employment and labour practices.   In Sweden, professional archaeological practice is largely de-regulated and governed by legislation rather than a centralised body.[4]

The completed inventory lists documents in the following format: title, publisher/owner, type ('ethics', 'standards', 'guidance', see Section 2.3), publication date, and either an ISBN or web link for the current version. The inventory is included as Appendix 3 of this document.

2.3   METHODOLOGY: GAP ANALYSIS

As part of the evidence-base for a gap analysis, the report includes a review of existing international standards and guidance in archaeological practice. Such documents can be broadly assigned to three distinct categories of professional practice documents under the broad headings of ethics, standards and guidance. This current report further explores the wider context in which archaeological practice takes place (see Section 3), but as the implications of this categorisation needs some preliminary explanation, a brief introduction is set out below.

A categorisation has been applied to documents included in the inventory of this report based on an assessment of their content. While many of the documents are self-defined by their titles (e.g. 'Code of Conduct', 'Standards'), the purpose of some documents has been categorised for this report to reflect its application in a contemporary setting, and is not intended as a critical assessment of the original content. Professional practice documents can be grouped into three groups: (a) those that relate to meeting legal and/or regulatory obligations and can be defined as 'standards', (b) documents that set out and define standards are often supported by further, independent, documents providing 'guidance', and (c) those that identify behaviours and values which can be regarded as 'ethics' statements.[5]

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[1] See www.fubular.org.

[2] See www.dguf.de.

[3] See www.archaeology.dk.

[4] For instance, on consultancy-led professional archaeological practice see Gill, A. 2021 Development-led Archaeology and Public Benefit from a Swedish Perspective, *Internet Archaeology* 57. https://doi.org/10.11141/ia.57.4

[5] The distinction between 'standards' and 'guidance' is generally recognised as there is an obligation to meet 'standards' while 'guidance' provides recommendations. A guide to writing 'standards' is available

For that reason, the content of each document has been labelled as 'ethics', 'standards' or 'guidance' (in Appendix 3, Tables 3.1 to 3.6). While some perform multiple functions, where an obligation is defined it is classed as a 'standard'.

Appendix 4 of this report assesses the existing provision of professional practice documents in Ireland against the wider patterns noted in the international documents. This analysis considers the extent of provision of ethics, standards and guidance and identifies any gaps.

2.4 CASE STUDIES: CIFA AND EAA

The case studies consider two organisational approaches to maintaining standards and enhancing professional practice in archaeology. The purpose of the case studies is to provide a more detailed assessment of the type of provision offered, its structure and content. The two organisations included here are the Chartered Institute for Archaeology and the European Association of Archaeologists. The case studies are included as Appendix 5.

2.5 OVERVIEW OF PROFESSIONAL ARCHAEOLOGICAL PRACTICE IN IRELAND

This Milestone 2 Report places the outputs from the Milestone 1 Report in context (see Section 3 of this report). This includes an overview of the archaeological profession in Ireland, looking at their sectoral distribution and qualifications profile (Section 3.2). This is followed by two sections considering archaeological professional practice in Ireland, the first with regard to ethics and conduct (Section 3.3) and the second with reference to legislation (Section 3.4).

2.6 FINDINGS AND RECOMMENDATIONS

Section 4 of this report includes a discussion of the Milestone 1 and 2 Reports, their findings and identifies draft recommendations that might be considered by IAI to achieve the overalls aims of the Archaeology 2025 Report. The report concludes with the Draft Recommendations (Section 5), which include a recommendation on a document management system for professional practice documents, and is followed by Appendices that includes templates for Standard and Guidance documents and (for ease of reference) Sections 3-5 from the Milestone 1 Report (as Appendices 3-5).

3 OVERVIEW OF THE ARCHAEOLOGICAL PROFESSION AND PRACTICE IN IRELAND

3.1 INTRODUCTION

This overview of the archaeological profession and practice in Ireland begins with an overview of the composition and competencies of the profession. This considers the current and historic profile of the profession and employment sectors, the typical qualifications held and a brief consideration of conformance between identifiable competencies in professional

from ISO as *How to Write Standards* (ISO, 2016). For the distinction between ethical and legal obligation see John Ladd's "The Quest for a Code of Professional Ethics: An Intellectual and Moral Confusion," in Deborah Rhode and David Luhan, *Legal Ethics*, (St. Paul, Foundation Press, 1992), pp. 121-127. And for ethics in general, see Judith Lichtenberg, "What Codes of Ethics Are For?" in Margaret Coady and Sidney Bloch (eds.), *Codes of Ethics and the Professions*, (Melbourne, Melbourne University Press, 1996), p. 17.

practice and accreditation (i.e. the provision of formal awards by an authorised body, typically mapped to the National Qualifications Framework).

This is followed by two sections considering archaeological professional practice in Ireland. The first looks at ethics and conduct issues and where they have arisen (Section 3.3), with a brief consideration of the potential role of ethics in key controversies and a review of current ethics provision and the wider values promoted by the likes of the European Association of Archaeologists. and the second with reference to the current legislation applicable to the archaeological aspects of professional archaeological practice (Section 3.4).

3.2   COMPOSITION AND COMPETENCE: PROFILING THE ARCHAEOLOGISTS OF IRELAND

Professional archaeologists are employed in a range of settings in both the Republic of Ireland and Northern Ireland. The profession has been profiled a number of times in the last twenty years, including previous studies as part of the Discovering the Archaeologists of Europe (DISCO) project by McDermott and La Piscopia (2008) and Cleary and McCullaugh (2014). Both studies collected data on archaeologists employed in the Republic of Ireland only. The designations applied to members of the Advisory Panel for the 2014 study give a sense of the settings in which archaeologists were employed, namely 'Commercial sector', 'Local Government', 'Museum sector', 'National Government' and 'Third-level sector', with a number representing an 'Other' category which provided input from interest groups and non-governmental bodies although these were largely represented by archaeologists employed elsewhere (see Cleary and McCullagh 2014, 20).

Using available data and information from the various organisations and institutions, the 2014 study estimated the number of professional archaeologists in the Republic of Ireland as 338. The sectors in which they were employed in that role within the categories used for the 2014 panel were commercial (49.7%), third-level (23.7%), national government (16.0%), museums (5.9%) and local government (4.7%). A comparison with the identifiable employment sector of the individuals on the current published IAI Public Member Register[6], provides comparable figures, with commercial (69.9%), third-level (14.2%), national government (10.6%), museums (3.1%) and local government (6.6%).

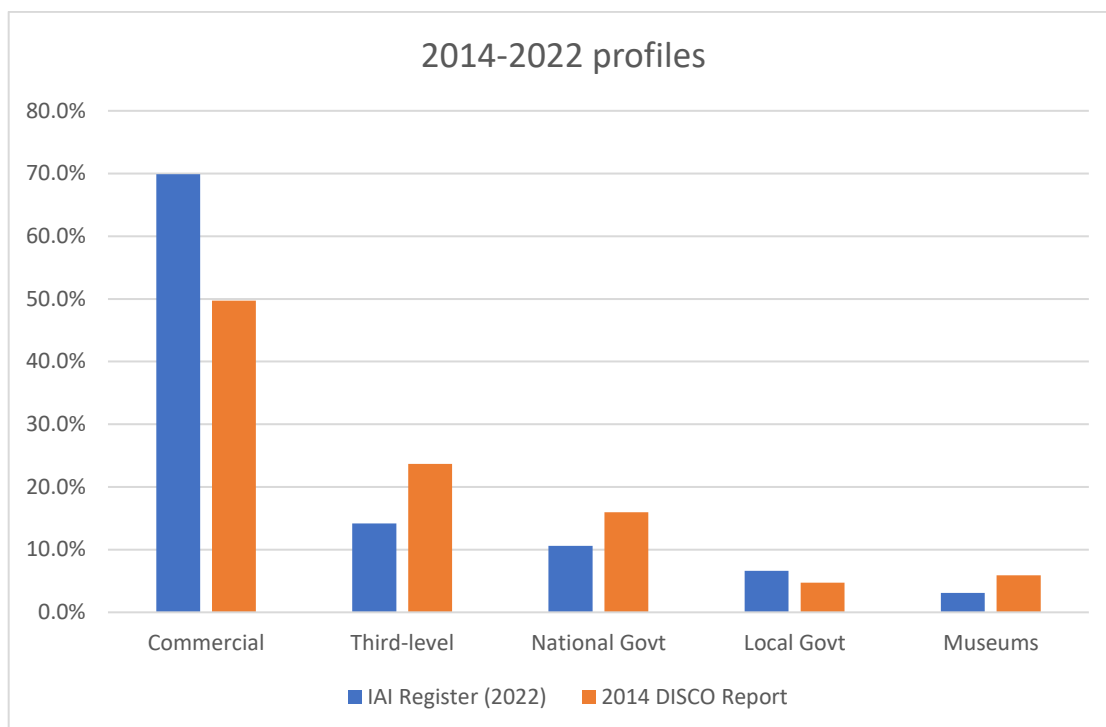[6] See IAI_PublicMemberRegister_2022-23.pdf

Figure 3.1. Distribution of archaeological employments in the Republic of Ireland by sector, figures from McDermott and La Piscopia (2008) and Cleary and McCullaugh (2014).

In comparing these sets of data, it should be noted that the IAI Public Member Register includes individuals based in Northern Ireland and the Republic of Ireland. Based on the organisations they work for, some archaeologists included in the IAI Register as employed in the commercial sector would be likely to carry out work in both jurisdictions. Proportionally, based on the numbers of archaeologists listed as employed in government, third-level education and museum posts on the IAI Register, the breakdown in membership is roughly 90%:10% between the Republic of Ireland and Northern Ireland. Further work would be needed to confirm if these figures simply reflect geographic variations in uptake of IAI membership or numbers of archaeologists employed in each jurisdiction.

Despite those caveats, ranking the percentage of archaeologists employed in the various sectors in order of size shows very little change between the two reports (with only 'local government' and 'museums' switching place in the bottom two rankings). Notably, the higher proportion of archaeologists employed in the 'commercial sector' (49.7% in 2014 and 69.9% in 2022) likely reflects the economic circumstances of the 2014 study. The equivalent figure for 'commercial sector' in the 2008 DISCO study, in the midst of a significant programme of archaeological work associated with infrastructural development, was 87.3% (see McDermot and La Piscopia 2008, 5). The actual numbers, as opposed to percentages, of archaeologists employed in other sectors are loosely comparable in 2008 (217 employed) and 2014 (170 employed) while it is the number employed in the 'commercial sector' that changes significantly, from 1492 in 2008 to 168 in 2014, and thus radically changing the percentage employed in each sector. A recurring fluctuation of numbers employed in the commercial sector is presumably again a factor in the overall representation of sectors in the 2022-2023 IAI Public Member Register.

Professional archaeologist in Ireland have typically been awarded a relevant degree, such as a Bachelor's or Master's degree in archaeology or a related field from one of the several universities and colleges that offer programs in archaeology, including University College Dublin, Queen's University Belfast, University College Cork and the University of Galway. The proportion of staff holding at least a primary degree in archaeology in the 2008 and 2014 studies was in excess of 80% (McDermott and La Piscopia 2008, 5; Cleary and McCullaugh 2014, 31). Assessing the constructive alignment of the learning outcomes on the available degree programmes and the skills and knowledge domains required for professional archaeological practice is beyond the scope of this review. However, in a number of instances, such as licensing archaeological activities to comply with legislation or in response to planning conditions (that include the term 'suitably qualified archaeologist'), which do not appear to be aligned with the current undergraduate degree programme outcomes.

There are currently no formal or accredited professional archaeological awards that are specified to recognise particular competencies (eg eligibility to hold an archaeological licence), although unaccredited processes exist to assess competency to hold a number of licence types. Notably some higher education providers do offer programmes that address specific skills domains, such as the MA in Museum Studies and MA in Archaeological Excavation at University College Cork, but these are not aligned on the eligibility processes for holding various licence types and so attainment of the award does not automatically confer eligibility to, e.g., hold a licence to excavate for archaeological purposes.

In general, for recognition of professional competencies, candidates are assessed and approved for eligibility by regulatory bodies such as the National Monuments Service, Historic Environment Division (Department for Communities, NI) and National Museum of Ireland. The likes of non-public service recruitment and public service procurement processes also typically set out competency requirements for individuals, such as a postgraduate degree for environmental and artefact specialist roles plus a defined number of years' experience or a doctoral degree (for academic posts). Some of these have become, in effect, norms through repeated use.[7] In contrast, professional archaeologists working in most (if not all) roles in the public sector are now assessed at recruitment stage against closely defined competencies.

Accredited awards for non-archaeological specialist skills are required for archaeological work in some professional roles, such as a dive or drone licence.

In summary, a substantial proportion of professional archaeologists work in the commercial sector. This can be clearly argued for the Republic of Ireland, based on the data cited above. For Northern Ireland, it is presumed to be similar, but the relevant data is not currently available. While a relatively stable number may be employed within the public sector, the number working in the commercial sector at any given typically increases and contracts mirroring the broader performance of the economy. Where key professional competencies have been defined (such as for licence eligibility), most have evolved as norms through

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[7] The term 'norm' is intentionally used here, as opposed to standard, as the emergence of typical requirement appears to have emerged from custom and practice (rather than a formal statement of it as a standard).

repeated use, rather than having been clearly defined based on a critical review of key factors.

3.3   ARCHAEOLOGICAL PRACTICE, ETHICS AND CONDUCT

As outlined in the Milestone 1 Report for this project (see Appendices 3-5 in this report) specific standards for archaeological practice are a feature of a number of existing documents, although often these are articulated within notes accompanying applications forms rather than as specific documents in their own right.

It should be noted here that, in terms of professional archaeological practice, there is not a significant body of published literature from Ireland reviewing compliance with existing legislation or performance against existing codes of conduct or ethics either in the Republic of Ireland or Northern Ireland. Failure to observe a specific standard appears to have been typically resolved by informal arbitration between archaeologists and without recourse to any formal process (legal or otherwise) that seeks to present it as a legally punishable breach of ethics or conduct.

Arguably none of the issues at dispute in reported archaeological controversies of the last forty years would have been resolved through the use of codes of ethics or conduct or provision of enhanced standards to professional archaeologists. Historically, issues have tended to relate to planning and higher level decisions around appropriate development, such as Wood Quay (Bradley 1984; McDonald 1985), Navan Fort (Mallory 1987), Carrickmines Castle (Edwards 2004; O'Keeffe 2005) and the Tara/M3 (see summary in Rountree 2012). In the case of the most recent controversy, over the excavation of Drumclay crannog in Fermanagh, a review conducted by the Historic Monuments Council of Northern Ireland made six recommendations, which mostly related to enhancing the provision of regulatory standards rather than addressing issues around failure to meet standards of ethics or conduct (see Cooney, Brannon and Witchell 2015).

The European Association of Archaeologists' (EAA) has produced useful model documents in its Code of Practice and Code of Principles (with specific sections for Contract Archaeology, Research, Teaching and Training and Climate). A number of ethical challenges are addressed by the European Association of Archaeologists' (EAA) Principles for Archaeological Research (Section 2). A consideration of the prevalence in Ireland of issues under each subsection, suggests that they don't reflect the typical conduct of professional archaeologist practice (see below).

The treatment of archaeological objects and human remains (the focus of Sections 2a-b) is subject to licensing and Ireland and regulated in line with the EAA principles. While the illegal trade in antiquities does impact on Ireland, this mainly relates to metal detecting, which is regulated in both Northern Ireland and the Republic of Ireland (see Kelly 1993). Occasionally the theft of antiquities from Ireland for illegal trade within Ireland or internationally has been reported, although it has not apparently been the focus of detailed study.[8] In neither instance

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[8] For examples see "Garda Search for Rare Carving" in Irish Independent, 10 January, 1990 and "Heritage Thieves Target Ulster" in Sunday Life, 23 August, 1998.

have archaeological professionals in Ireland been implicated in the evaluation or authentication of the objects prior to sale or disposal (contrary to Sections 2c-2f). While it has been claimed that copies of antiquities from Ireland have been forged in the distant and recent past (e.g. Cahill 2005; Greenhalgh 2017), again professional archaeologists have not been alleged to have had any involvement in such activity.

Where the EAA have articulated statements on wider ethical issues, such as *Restitution and Repatriation of Contested Heritage Objects*, there have been institutional actions in Ireland in accordance with the EAA position.[9]

In summary, mapping challenging ethical issues in professional archaeological practice in Ireland against the European Association of Archaeologists' Principles for Archaeological Research (Section 2) doesn't suggest that such issues arise frequently. However, this statement is anecdotal as there is no formal data collection for cases raised with regulatory authorities that might identify the involvement of professional archaeologists in activity that might breach the ethical framework proposed by the European Association of Archaeologists. Where significant issues have arisen with archaeological projects (as outlined above), the problematic aspects have been rooted in the interaction of management of the archaeological resource and proper planning and development.

3.4   PROFESSIONAL PRACTICE AND LEGISLATION

Archaeological practice in Northern Ireland and the Republic of Ireland has largely evolved in tandem, against a regulatory backdrop of the continuation (post-1921) of the 1869 Irish Church Act and 1892 Ancient Monuments Protection (Ireland) Act[10] and the prominent role of the Royal Irish Academy, Royal Society of Antiquaries of Ireland and other scholarly organisations.

In Northern Ireland the legislative underpinning of the relevant laws was replaced with the Ancient Monuments Act (Northern Ireland) 1926 and in 1937 when excavation for archaeological purposes became subject to licensing. In 1971 a further Historic Monuments Act (Northern Ireland) Act 1971 was passed which was, in turn, replaced by the Historic Monuments and Archaeological Objects Order 1995. Marine archaeology is also subject to the Protection of Wrecks Act 1973.

In the Republic of Ireland, the pre-existing 1869 and 1892 Acts were superseded by the 1930 National Monuments Act which introduced licensing for excavations for archaeological purposes. This was followed by subsequent Amendments (1954, 1987, 1994, 2004 and 2014) and related legislation such as the Heritage Act (1995) and National Cultural Institutions Act (1997). A current bill (Historic and Archaeological Heritage Bill) is before the Oireachtas which

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[9] See Ken Foxe 'National Museum to review items that have 'violent colonial context'; in Irish Examiner, 21 November, 2021 and 'NI Museums Staff Return Human Remains to Hawaii', BBC, 6 May, 2022 (https://www.bbc.com/news/uk-northern-ireland-61341825).

[10] *Ancient Monuments Protection (Ireland) Act* 1892 (55 & 56 Vict. c. 46), see also the *Ancient Monuments Protection Acts*, 1882 (45 & 46 Vict. C. 73) and 1910 (1 Geo. V. c. 3)

will replace much of the National Monuments and related legislation (this is discussed further below).[11]

In both jurisdictions, the most recent legislative developments adhere to the 'polluters pay' principle which was enshrined in United Kingdom law under the Environmental Protection Act (1990). This was followed by the publication of *Planning Policy Guidance 16: Archaeology and Planning* which became the framework along which the current archaeological planning and development process evolved in Northern Ireland, including the publication of an *Excavation Standards Manual* by the Environment and Heritage Services in 2000.

The same 'polluters pay' principles were observed in the Council of Europe's *Convention for the Protection of the Archaeological Heritage of Europe* (Valletta, 1992) which anticipated the 1994 amendment to the National Monuments Act in the Republic of Ireland and the subsequent publication of the *Framework and Principles for the Protection of the Archaeological Heritage*. This was followed by the *Policy and Guidelines on Archaeological Excavation* which issued in 1999. More recently (April 2022), the National Museum of Ireland issued updated guidance on the treatment of archaeological objects, *Standards for the care and treatment of archaeological objects from excavations* specifically as a standard, to replace existing guidance on the treatment of finds on excavations. These documents are listed, with links, in Appendices 3-5.

In 2021-22, the Historic Environment Division of the Department for Communities, NI, commissioned a review of its provision of standards and guidance documents, alongside an update of the standards and guidance documents provided by the Chartered Institute for Archaeology to align the latter with current standards and guidance in Northern Ireland. The review was carried out by John Ó Néill and Christina O'Regan of IAC Archaeology and identified areas where additional work is required on the Historic Environment Division documents, particularly around excavation and archiving. It also noted that the current recommended guidance on human remains, the existing IAI *Code of Conduct for Treatment of Human Remains,* needed updated to reflect changes since the last update in 2006.[12]

At the time of writing (May 2023), the new *Historic and Archaeological Heritage Bill* is still before the Oireachtas and, once passed, is likely to take effect in the Republic of Ireland starting later in 2023.[13] The final detail of the Bill is still potentially subject to revisions (and may not be passed). If passed, the importance of aspects of the bill may require direction from National Monuments Service and the National Museum of Ireland to ensure professional archaeological practice is appropriately updated. The Bill includes revised or updated definitions of a variety of terms in Part 1, Section 2 'Interpretations – general' which may have implications for how they are understood and applied by professional archaeologists. Elsewhere within the Bill, the wording of the new legislation could impact on aspects of archaeological practice in the Republic of Ireland. Examples are noted below.

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[11] This passed into statute as the *Historic And Archaeological Heritage And Miscellaneous Provisions Act 2023* on 13th October, 2023 (see pdf (irishstatutebook.ie)..

[12] This was being undertaken previous for IAI but the work has yet to be completed (Bernice Kelly, pers.comm.).

[13] For current version see: https://data.oireachtas.ie/ie/oireachtas/bill/2023/2/eng/ver_a/b02a23s.pdf

Section 108 of the Bill currently reads "(1) Where— (a) an archaeological object— (i) is owned by the State, and (ii) is in the possession of the Board, and (b) the Board is of the opinion that the object is primarily, or is in particular, of local interest, the Board may … place the object in such designated museum as, in its opinion, is the most appropriate having regard to such local interest." This may have implications for a variety of practitioners with guidelines likely needed on the standards for 'national' and 'local' importance and guidance on the process, including whether the Board require specialist reports to include recommendations and who is deemed competent to do so.

Section 115 covers the duty of coroners, with respect to human remains of archaeological significance. This section may need to be reflected in any future revision of the IAI *Code of Conduct for Treatment of Human Remains*.

Section 150 covers applications for a licence, including a reference to the 'competence' of the applicant (Section 150.2.a and Section 150.2.d). Guidance on the definition of competence and prescribed method for demonstrating that competence may be required. Assessment of competence is the subject of Section 152, which states that "*There may from time to time be prescribed procedures for—(a) assessing (or, where appropriate, reassessing) the competence of an applicant in so far as such competence relates to the licensable activity, (b) assessing (or, where appropriate, reassessing) the competence of any person who will be acting on behalf of an applicant in so far as such competence relates to the licensable activity, and (c) a review, initiated by the applicant, of a decision on such competence where the applicant is aggrieved by the decision.*"

In general, a mechanism to produce the necessary documents to support the workings of the new Bill is set out under Section 211, the Minister is empowered, following publication of a draft and appropriate consultations, to issue Codes of practice: "*(1) The Minister may prepare and publish a code of practice, not inconsistent with this Act, for the purposes of—(a) setting out the manner in which he or she proposes to perform any function conferred upon him or her under a provision of this Act, or (b) providing practical guidance to persons, or a class of persons, to assist the persons, or the class of the persons, as the case may be, to comply with a provision of this Act that applies to the persons, or the class of the persons, as the case may be.*"

In summary, IAI's professional membership operate within two regulatory frameworks, in Northern Ireland and the Republic of Ireland. In Northern Ireland, the Historic Environment Division of Department for Communities NI, has no proposed legislative changes underway. HED also undertook a review of standards and guidance documents in 2021-22, revising a number in line with recommendations (similar to the process for codes of practice in the proposed new bill in the Republic of Ireland). The current code of practice for treatment of human remains is that published by the IAI, which has been under review. Key information on the HED standards and guidance documents are now incorporated into the suite of standards and guidance documents published by the Chartered Institute for Archaeology. The latter organisation is mainly UK-based, while it has membership in both Northern Ireland and the Republic of Ireland, none of the entities on its Register of Organisations currently uses an

address in Ireland. A new *Historic and Archaeological Heritage Bill* is being brought through the various legislative stages in the Oireachtas and may be enacted in the near future. While a number of key areas clearly require a supporting standard and/or guidance document, provision is made in the Bill itself for development of the same.

4   FINDINGS

4.1   ARCHAEOLOGY 2025

The context of this review and the recommendations given here is to further the recommendations of the *Archaeology 2025* report, produced by the Royal Irish Academy in 2016 which included Recommendation 2.3 for the Core Objectives of Pillar 2 to '*Encourage state recognition of the IAI as the professional body with a role in the regulation and conduct of archaeology*'. The further development of professional codes of conduct by the Institute of Archaeologists of Ireland (IAI) is recognised as a key step towards delivering on the report's Pillar 2 Core Objectives, including a qualification-based definition of archaeologists (2.4), improved career development (2.5) and increased CPD opportunities (5.4).

This section sets out the main findings of the report, alongside a summary of the findings in the Milestone 1 Report (Section 4.2) and a discussion of the overview provided in Section 5 identifying draft recommendations that IAI might consider to achieve the objectives of *Archaeology 2025.*

4.2   SUMMARY OF FINDINGS FROM MILESTONE 1 REPORT

The Milestone 1 report included a list of relevant documents from the island of Ireland in Tables 3.1-3.3 and from elsewhere in European and English-speaking territories (updated as Appendix 3 in this report).

The key findings from the Milestone 1 Report were:
- There are a range of professional domains covered by the Chartered Institute for Archaeology (CIfA) that are not given specific provision in the suite of IAI documents, including: *Standard and guidance for archaeological advice by historic environment services*; *Standard and guidance for the creation, compilation, transfer and deposition of archaeological archives*; *Standard and guidance for the archaeological investigation and recording of standing buildings or structures*; *Standard and guidance for commissioning work or providing consultancy advice on archaeology and the historic environment*; *Standard and guidance for historic environment desk-based assessment*; *Standard and guidance for stewardship for the historic environment.*
- There are not specifically articulated statements from IAI or other bodies in Ireland that directly match those by the European Association of Archaeologists (EAA) in a number of areas, including: *Ethical Practice in Expert Evaluation of Archaeological Material; Restitution and Repatriation of Contested Heritage Objects; Principles For Archaeological Research; Principles For Archaeologists Involved In Academic Teaching And Training; Principles For Archaeologists Involved In Fieldwork Training; Publication of Decontextualised Archaeological Artefacts; Indigenous Heritage; Principles For The Role Of Archaeologists In Climate Action*
- In two case studies (CIfA and EAA), it was noted that: The wider regulatory scope of CIfA standards and guidance documents mitigates against them fully achieving their intention to act as 'standards and guidance' and highlights the difficulty in producing

comprehensive provision for professional practice as 'standards'; The wider range of available documents in the suite of CIfA standards and guidance reflects the organisations capacity to engage with a fuller range of professional practice domains; There may be useful lessons for IAI in the design of CIfA documents to either facilitate multi-jurisdictional professional practice, and/or to promote greater mobility across the various domains of professional practice; While there are significant differences in scale between EAA and IAI, with the EAA providing a model for provision of an ethical framework for professional practice, rather than seeking to also articulate standards and guidance directly.

4.3   PROFESSIONAL PRACTICE CONTEXT: DISCUSSION

Professional archaeologists are employed in Ireland in a number of sectors (as outlined above). A substantial proportion work in the commercial sector, which is generally the focus of existing professional practice standards, guidance and ethics documents in both Northern Ireland and the Republic of Ireland. A comparison with similar provision to support professional practice in both Europe and English-speaking territories suggests (as would be expected) that the available documents typically reflect the specific circumstances of the profession in each territory including legislative context and the scale and scope of professional work, and thus limits the actual value of direct comparisons. However, the models of engagement and provision do provide useful insights into the design and structure of broader frameworks that could support the ongoing development and enhancement of professional practice and IAI's geographic remit.

It is noted (in Section 3.2 above) that the alignment of formal certification and archaeological competencies is currently unclear, despite an implied requirement to determine eligibility for licensing and, in some cases, recognition of specialist professional status. While many archaeological awards are available, mainly at Levels 8 and 9 of the National Framework of Qualifications (or equivalent), there is no concordance with professional eligibility either in Northern Ireland or the Republic of Ireland. A core element of provision of standards and guidance should be that eligibility for an area of professional practice requires a clear statement of competency (whether that be experiential or accredited learning) and a process for recognition of such. See Section 5, Draft Recommendation 1.

In Northern Ireland, the existing legislation (largely the 1995 *Historic Monuments and Archaeological Objects Order*) is the main underpinning for archaeological work with published standards (eg for licensing and for excavation itself) from the main regulatory section of government (Historic Environment Division, Department for Communities NI) along with the IAI's *Code of Conduct for Treatment of Human Remains*.

In the Republic of Ireland, the legislative framework is somewhat in flux with a new *Historic and Archaeological Heritages Bill* currently passing through the latter stages in the Oireachtas. Under the existing National Monument's legislation the main underpinning for archaeological work was the *Framework and Principles for the Protection of the Archaeological Heritage* and *Policy and Guidelines on Archaeological Excavation* (issued in the 1990s), alongside a more recently published *Standards for the care and treatment of archaeological objects from*

excavations, published by the National Museum of Ireland in 2022 and the IAI's *Code of Conduct for Treatment of Human Remains*.

As the *Code of Conduct for Treatment of Human Remains* has potential to create issues with legal compliance for practitioners, it should be reviewed as a matter of urgency (a review had been in place prior to the Covid pandemic). As the current IAI Codes do not differentiate between a Code that applies to Officers in carrying out their duties to IAI and those that apply to members in general, this should also be the subject of a review, although a general review against a template of the current EAA Code of Conduct and EAA Principles would also be appropriate. See Section 5, Draft Recommendation 2.

A review of the overall framework of standards and guidance suggests that there are gaps in provision in both Northern Ireland and the Republic of Ireland, some of which are being addressed by the relevant regulatory bodies. This includes for areas such as archiving and archive deposition, which is currently being developed by the Historic Environment Division. In the Republic of Ireland further provision is likely to await the completion of the legislative process for the *Historic and Archaeological Heritage Bill*.

The Institute of Archaeologists of Ireland's own provision of codes and other documents can be usefully reviewed against the broader engagement model in place, with reference to a number of analogies from elsewhere. This includes single and multi-territory organisations as this appears to provide some useful exemplars for the design and content of the suite documents provided to support professionals in their practice. As set out in Appendices 3-5, many professional bodies engage in the same types of activities as IAI, including provision of codes to members, research publication, meetings and advocacy on broader heritage matters, with some organisations place heavier emphases on particular activities. The scope of documents to support professional practice differs significantly for organisations whose members typically work within or across more than one legislative framework.

Multi-territory professional organisations also engage in the same activities (research publication, meetings, advocacy) with the main difference being in the type of documentation provided to support professional practice. In these cases, the label applied to documents (e.g. Standard, Code of Practice, Ethics etc) is perhaps less important than its utility and intent. The main choice there appears to be between supporting mobility between the jurisdictions (such as the Chartered Institute for Archaeology) and in provision for ethical statements to promote particular behaviours and values and to signal concordance with wider societal and international values (this is the model followed by the European Association of Archaeologists and World Archaeological Congress). As noted earlier the issues in professional archaeological practice addressed by the ethical statements of the likes of the European Association of Archaeologists don't seem to arise frequently in Ireland, although admittedly there is an absence of comprehensive research. See Section 5, Draft Recommendation 3.

From the perspective of IAI, with a membership that works within two legislative frameworks, the nature of provision of documents to support professional practice appears to require choices on the overall design of the framework. One options appear to be to the Chartered Institute for Archaeology model of providing 'Standards and guidance' documents that mainly

index the relevant standards and guidance required for compliance with each legislative framework, which mainly support mobility of professionals between Northern Ireland and the Republic of Ireland – an option that appears to be most relevant to the commercial sector and with less employment stability (eg short term employment in third level education and museum roles).

A second option (which is not mutually exclusive with the first) is to develop and maintain a set of standards and guidance documents either relevant for each of Northern Ireland and the Republic of Ireland, or that combines the detailed requirements for both. It is worth noting here that some such documents have recently been reviewed and updated in Northern Ireland, with the likes of *Excavation Standards Manual* being the subject of in person and on-line consultations to ensure that it was updated to reflect both regulatory and commercial practitioner experiences. The content was largely guided by a sense of where compliance required a specific standard to be articulated. The parallel in provision of similar documents for the Republic of Ireland is likely to follow the outcome of the Historic and Archaeological Heritage Bill.

The third option, from IAI's perspective, would be to support provision of standards and guidance in both Northern Ireland and the Republic of Ireland but confine the role of IAI to advocacy and articulating statements of ethics to identify and promote agreed values and behaviours. See Section 5, Draft Recommendation 4.

5 DRAFT RECOMMENDATIONS

5.1 DRAFT RECOMMENDATION 1

IAI seeks the views of regulatory bodies in Northern Ireland and the Republic of Ireland as part of a review of professional eligibility requirements and the provision of aligned professional awards for professional archaeological practice. This review would support achieving the Pillar 2 Core Objectives in the *Archaeology 2025* report, including a qualification-based definition of archaeologists (2.4), improved career development (2.5) and increased CPD opportunities (5.4).

5.2 DRAFT RECOMMENDATION 2

IAI reviews and updates its current provision of Codes, with regard to a number of factors including Codes applicable to members and where a specific Code should be applicable to IAI Officers. This should, as a minimum, include its current *Code of Conduct for Treatment of Human Remains* to reflect the legal context and any subsequent changes to legislation or practice (note this work has been in progress). A complete revision of all existing IAI Codes might take the existing EAA Code of Conduct and Principles and transpose them to appropriate forms that reflect the context of practice in Northern Ireland and the Republic of Ireland.

5.3 DRAFT RECOMMENDATION 3

IAI promotes or undertakes research in Northern Ireland and Republic of Ireland to create an evidence base for cases related to (a) ethical issues and professional archaeological practice (eg to establish concordance with the ethical statements of the European Association of Archaeologists and its Code of Conduct and Principles), and (b) non-compliance with standards in professional archaeological practice with a view to identifying areas in which standards need to be articulated or where guidance is required to achieve compliance.

5.4 DRAFT RECOMMENDATION 4

IAI reviews and designs the overall organisational model for provision of support to professional archaeological practice in Ireland. The review might consider some of the options discussed above, such as: (1) placing emphasis on documents that facilitate professional mobility between Northern Ireland and Republic of Ireland, (2) provision of a separate suite of documents for each territory, (3) confining the role of IAI to statements on ethics and values rather than standards and guidance, and (4) whether these options or another model are consistent with achieving the *Archaeology 2025* report's Recommendation 2.3 for the Core Objectives of Pillar 2 to '*Encourage state recognition of the IAI as the professional body with a role in the regulation and conduct of archaeology*'.

5.5   DRAFT RECOMMENDATION 5: DOCUMENT MANAGEMENT AND TEMPLATES

As part of the project deliverables, templates for IAI Standards and Guidance documents are includes as Appendix 1 and Appendix 2. For publications of Standards and/or Guidance documents, it would be recommended that the IAI put in place a document management system that includes:

- A register of Standards and Guidance documents that lists:
    - Title
    - Status (Standard, Guidance, Ethics, Conduct etc) with a clear definition of the purpose or limitations of each status and its geographic application
    - A unique document Reference Code
    - Revision number
    - Date
    - Any proposed review date or expiration date
- An IAI Officer responsible for overall management including:
    - Maintenance of the Register
    - An annual report to the IAI AGM on proposed reviews, new publications, expirations
    - Storage of the approved (golden copy) version of each document
    - A system of practice for creation and approval of Standards and Guidance documents, approved by the IAI membership

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APPENDIX 1 TEMPLATE FOR IAI 'STANDARDS' DOCUMENT

Cover/Title Page
Institute of Archaeologists of Ireland
[Insert name, eg. Title: Standard for …. *Note that a shortened version of this template may also be suitable for Ethics statements*]
[Date of Publication]

Page 1
[Executive summary]
[concludes with these two sections]
This **Code of Conduct** *comes into effect on DD Month YYYY, replacing the previous edition published in Month YYYY.*
Updates in this edition (YYYY):

- *Changes arising from legislation*
- *Changes arising from strategy/policy*
- *Updated definitions of XXX*
- *Key changes to each Section*

Document Record: Name, date, code (eg IAI.23.01)
Date: Date signed off, Date published.
Authorship: Ascribed authorship (if required)

Page 1
[Note - The layout of a template for a professional standard will end up varying, depending on the specific purpose. The suggest headings, page numbers etc are a general guideline to consider]
Table of Contents

Page 2

1.3 Introduction

This section provides an overview of the purpose and scope of the standard, as well as any relevant background information or context. [The text here can be repurposed to provide appropriate explanatory text.]

1.3 Application of the Standard

This section should also explain how the standard will be used and who it applies to.

1.2 Background to the Standard

This standard for professional archaeological practice is a set of guidelines or specifications that are developed and published by an authoritative body (such as NMI, NMNI, NMS or HED), or, by IAI where appropriate. Standards are intended to provide a framework for consistent and reliable performance, quality, safety, and other important characteristics for archaeological services or processes. Standards are mandatory and relate to regulatory requirements. Legislation is binding and enforceable, and typically sets minimum requirements or standards that must be met by individuals, organizations in archaeological practice.

Standards and legislation can be related in several ways. A standard may be adopted or incorporated into legislation as a means of establishing a legally enforceable requirement. For example, the standard for archaeological excavation requires a licence issued by the relevant authority. Alternatively, legislation may be prescriptive but requires the development of a standard for archaeological practice, in order to provide greater protection or ensure compliance.

1.3   Development of the Standard

This Standard was produced as follows:
- State who commissioned development of the Standard
- what work was carried out
- who authored the text
- who approved the text
- what date it comes into force
- (any) planned review date

[Provide dates in Month/YYYY or DD/Month/YYYY where it was specifically approved or signed off]

Page 3

2.0   Definitions

This section should define any key terms or concepts that are used throughout the standard. It's important to be precise and clear in your definitions to avoid any confusion or ambiguity. Specific usages of terms included in this section are highlight **in bold** in Section 3.
[The 'Definitions' section could be the most important part of the document]

2.1   Director

The **Director** means the Director of the National Museum of Ireland.

2.2   Designated Person

Designated Person has the meaning assigned to it by section 6 of the 1994 National Monuments Act.

Page 4

3.0   Main Text of Standard

This is the main section of the standard, where you will lay out the specific requirements or guidelines that need to be followed. This section should be divided into logical subsections, with each subsection covering a specific topic or area of concern.

3.1   Main Text of Standard

This is the subsection layout for each topic. Any topic that needs to provide additional information such as tabulated data, technical specifications for equipment etc, should relegate that information to an Appendix.

Page 5

4.0   Conclusion

This section should include the summary that appears in the executive summary.

4.1 Document history

Provide a statement on the Document Record with its full name, date, code (eg IAI.23.01). Note the date it was signed off and published.

4.2 Authorship

Ascribe authorship (if required)

4.3 Acknowledgements

Ascribe authorship (if required)

Page 6

Appendix 1

Depending on the nature of the standard, you may need to include additional information or resources in the form of appendices. These could include sample forms or templates, technical specifications, or other supporting materials.

References: If your standard is based on existing research, standards, or best practices, you should include a list of references or citations to support your work.

APPENDIX 2   TEMPLATE FOR IAI 'GUIDANCE' DOCUMENT

Cover/Title Page
Institute of Archaeologists of Ireland
[Insert name, eg. Title: Guidance on….]
[Date of Publication]

Page 1
[Executive summary]
[concludes with these two sections]
This **Guidance** *comes into effect on DD Month YYYY, replacing the previous edition published in Month YYYY.*
Updates in this edition (YYYY):

- *Changes arising from legislation…*
- *Changes arising from strategy/policy*
- *Changes arising from standards*
- *Updated definitions of XXX*
- *Key changes to each Section*

Document Record: Name, date, code (eg IAI.23.01)
Date: Date signed off, Date published.
Authorship: Ascribed authorship (if required)

Page 1
[Note - The layout of a template for a guidance document will end up varying, depending on the specific purpose. The suggest headings, page numbers etc are a general guideline to consider]
Table of Contents

Page 2
1.4 Introduction

This section provides an overview of the purpose and scope of the guidance, as well as any relevant background information or context. At a minimum this should reference the standard for which the guidance is designed to allow the user to achieve compliance [The text here can be repurposed to provide appropriate explanatory text.]

1.4 Application of the Guidance

This section should also explain how the guidance is used, such as the standard that is designed for and who it applies to.

1.2 Background to the Guidance

Guidance for professional archaeological practice is usually advice notes or a process that are developed and published by an authoritative body (such as NMI, NMNI, NMS or HED), or, by IAI where appropriate. Guidance is intended to provide a professional practice framework that promotes consistent achievement of a particular standard. Notably, unlike a 'Standard', guidance is elective (not mandatory) and while it may relate to regulatory requirements it is

offered as advice on how to achieve compliance while acknowledging other valid methodologies may exist. Publication of guidance provides a regulatory body with clear direction to practitioners and demonstrates that compliance with a Standard or legislation is achievable. Alternately, a Guidance may be intended to offer the current best in class approach to practice in a specific domain.

1.3 Development of the Guidance

This Guidance was produced as follows:

- State who commissioned development of the Guidance or what prompted the need for specific guidance
- what work was carried out
- who authored the text
- who approved the text
- what date it comes into force
- (any) planned review date

[Provide dates in Month/YYYY or DD/Month/YYYY where it was specifically approved or signed off]

Page 3

2.0 Definitions

This section should define any key terms or concepts that are used throughout the Guidance. It's important to be precise and clear in your definitions to avoid any confusion or ambiguity. Specific usages of terms included in this section are highlight **in bold** in Section 3.
[The 'Definitions' section could be the most important part of the document]

2.1 Director

The **Director** means the Director of the National Museum of Ireland.

2.2 Designated Person

Designated Person has the meaning assigned to it by section 6 of the 1994 National Monuments Act.

Page 4

3.0 Main Text of Guidance

This is the main section of the standard, where you will lay out the specific requirements or guidelines that need to be followed. This section should be divided into logical subsections, with each subsection covering a specific topic or area of concern.

3.1 Main Text of Guidance

This is the subsection layout for each topic. Any topic that needs to provide additional information such as tabulated data, technical specifications for equipment etc, should relegate that information to an Appendix.

Page 5

4.0 Conclusion

This section should include the summary that appears in the executive summary.

4.1   Document history

Provide a statement on the Document Record with its full name, date, code (eg IAI.23.01).
Note the date it was signed off and published.

4.2   Authorship

Ascribe authorship (if required)

4.3   Acknowledgements

Ascribe authorship (if required)

Page 6

Appendix 1

Depending on the nature of the Guidance, you may need to include additional information or
resources in the form of appendices. These could include sample forms or templates,
technical specifications, or other supporting materials.

References: If your guidance is based on existing research, standards, or best practices, you
should include a list of references or citations to support your work.

APPENDIX 3   INVENTORY OF PROFESSIONAL PRACTICE DOCUMENTS

This was included in the Milestone 1 Report as Section 3.

3.1   INVENTORIES

The inventory of documents for professional practice in archaeology is included below. The list includes the document owner, title, type of document (Ethics, Standards, Guidance), the date of publication (if known) and a link to the current document or ISBN. The list for Ireland is included in Section 3.2 and the list for relevant documents in other European or English-speaking territories is included as Section 3.3.

3.2   INVENTORY: IRELAND

The inventory of documents for professional practice in archaeology in Ireland[14] includes documents from the Institute of Archaeologists of Ireland, Heritage Council, Historic Environment Division (Dept for Communities NI), Irish Museums Association, National Monuments Service, National Museum of Ireland and Transport Infrastructure Ireland. Documents identified as 'standards' are included as Table 3.1, those identified as 'guidelines' are included as Table 3.2 and those identified as 'ethics' are included as Table 3.3.

Document Owner	Title	Type	Date	Link/Document Reference
Department of Arts, Heritage, Gaeltacht and the Islands	Framework and Principles for the Protection of the Archaeological Heritage	Standards	Jan-99	https://www.archaeology.ie/sites/default/files/media/publications/framework-and-principles-for-protection-of-archaeological-heritage.pdf
Heritage Council	Museum Standards Programme for Ireland	Standards	2015	https://www.heritagecouncil.ie/content/files/MSPI_Guidelines.pdf
Historic Environment Division, Dept for Communities NI	Excavation Standards Manual	Standards	revised 2022	CO1/21/285023

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[14] As the remit of IAI is the island of Ireland, documents from both Republic of Ireland and Northern Ireland are included in the list here. While different legislative and regulatory structures exist in both jurisdictions, this needs to be considered when framing professional practice documents and are relevant to the case studies (in Section 5 of the Milestone 1 report – Appendix 5 here).

Document Owner	Title	Type	Date	Link/Document Reference
Historic Environment Division, Dept for Communities NI	Archaeological Excavation Licence Documents	Standards	Undated	https://www.communities-ni.gov.uk/publications/archaeological-excavation-licence-documents
Institute of Archaeologists of Ireland	Code of Conduct for Treatment of Human Remains	Standards	adopted April 2006	http://www.iai.ie/wp-content/uploads/2016/03/IAI-Code-of-Conduct-for-the-Archaeological-Treatment-of-Human-Remains.pdf
Institute of Archaeologists of Ireland	Best Practice Standard: Archaeological Services In Fixed Price Contracts	Standards	April 2012	http://www.iai.ie/wp-content/uploads/2016/03/IAI-Best-Practice-Standard-Procedures-in-Fixed-Price-Contracts-20121.pdf
National Monuments Service	NMS Archive Unit, Reading Room Regulations	Standards	Undated	https://archaeology.ie/sites/default/files/media/publications/reading-room-regulations-2021.pdf
National Monuments Service	Application for a licence to Dive/Survey	Standards	June 2021	https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Farchaeology.ie%2Fsites%2Fdefault%2Ffiles%2Fmedia%2Fpublications%2Fnms-3-06-dive-survey-licence-application-form_0.doc&wdOrigin=BROWSELINK
National Monuments Service	Application for a Consent to use a Detection Device	Standards	June 2021	https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Farchaeology.ie%2Fsites%2Fdefault%2Ffiles%2Fmedia%2Fpublications%2Fnms-2-06-detection-device-licence-application-form_0.doc&wdOrigin=BROWSELINK

Document Owner	Title	Type	Date	Link/Document Reference
National Monuments Service	Licence to Excavate	Standards	Form 1-2019	https://archaeology.ie/licences/archaeological-excavation
National Museum of Ireland	Standards for the care and treatment of archaeological objects from excavations	Standard	Apr-22	https://www.museum.ie/getmedia/222c77e9-35dc-4345-b260-f67e835a5348/IAD_StandardsforExcavationObjects_1.pdf

Table 3.1: List of professional practices documents from Ireland categorised as 'standard'.

Document Owner	Title	Type	Date	Link/Document Reference
Department of Arts, Heritage, Gaeltacht and the Islands	Policy and Guidelines on Archaeological Excavation	Guidance	Jan-99	https://www.archaeology.ie/sites/default/files/media/publications/excavation-policy-and-guidelines.pdf4
Heritage Council	Reflecting on Inclusion	Guidance	Online	https://www.doorsopendays.org.uk/media/6989/theme-5.pdf
Heritage Council	Addressing Barriers	Guidance	Online	https://www.doorsopendays.org.uk/media/6994/theme-6.pdf
Heritage Council	Guidance for the Care, Conservation and Recording of Historic Graveyards	Guidance	2011	https://www.heritagecouncil.ie/content/files/guidance_care_conservation_recording_historic_graveyards_2011_7mb.pdf
Heritage Council	Guidance for Community Archaeology Projects	Guidance	2017	https://www.heritagecouncil.ie/content/files/Guidance_for_community_archaeology_projects.pdf
Historic Environment Division, Dept for Communities NI	Development and Archaeology: Guidance on Archaeological works in the planning process	Guidance	Apr-19	https://www.communities-ni.gov.uk/sites/default/files/publications/communities/dfc-hed-guidance-on-archaelogical-works-in-the-planning-process.pdf

Document Owner	Title	Type	Date	Link/Document Reference
Historic Environment Division, Dept for Communities NI	A Guide to Metal Detecting, Archaeology and the Law	Guidance	Undated	https://www.communities-ni.gov.uk/articles/guide-metal-detecting-archaeology-and-law
Institute of Archaeologists of Ireland	Environmental Sampling: Guidelines for Archaeologists	Guidance	2007	http://www.iai.ie/wp-content/uploads/2016/03/EnvironmentalSamplingGuidelines-2007-comp-1.pdf
Institute of Archaeologists of Ireland	The Treatment of Human Remains: Technical Paper for Archaeologists	Guidance	2004	http://www.iai.ie/wp-content/uploads/2016/03/The-Treatment-of-Human-Remains.pdf
Irish Museums Association	Membership Policy	Guidance	Online	https://irishmuseums.org/uploads/downloads/20190410_IMA-Membership-policy_Final.pdf
National Monuments Service	Excavation Licences (advice notice)	Guidance	01/01/2019	https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fwww.archaeology.ie%2Fsites%2Fdefault%2Ffiles%2Fmedia%2Fpublications%2Fnotice-regarding-new-compliance-procedures-and-amendment-of-application-form-and-licence-conditions.docx&wdOrigin=BROWSELINK
National Monuments Service	Advice to the Public on Ireland's Underwater Archaeological Heritage	Guidance	18/11/2022	https://www.archaeology.ie/sites/default/files/media/publications/advice-to-the-public-on-irelands-underwater-archaeological-heritage.pdf
National Monuments Service	Information Booklet on the Services of the National Monuments Service Archive Unit	Guidance	08/01/2021	https://archaeology.ie/sites/default/files/media/publications/nms-archive-info-booklet-updated-jun-2021.pdf

Document Owner	Title	Type	Date	Link/Document Reference
National Monuments Service	Guidance Notes on Procedures National Monuments (Amendment) Act 2004 Section 14A Direction	Guidance	Jul-16	https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fwww.archaeology.ie%2Fsites%2Fdefault%2Ffiles%2Fmedia%2Fpublications%2Fguidelines-for-directions.doc&wdOrigin=BROWSELINK
National Monuments Service	(Guidance) National Monuments (Amendment) Act 2004 Section 14 Consent	Guidance	Undated	https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fwww.archaeology.ie%2Fsites%2Fdefault%2Ffiles%2Fmedia%2Fpublications%2Fguidelines-for-consents.doc&wdOrigin=BROWSELINK
National Monuments Service	Excavation Report Guidelines for Authors	Guidance	Oct-06	https://www.archaeology.ie/sites/default/files/media/publications/excavation-reports-guidelines-for-authors.pdf
National Monuments Service	Information Note on Qualifications	Guidance	Mar-20	https://www.archaeology.ie/sites/default/files/media/publications/info-note-qualifications-directive-regulations.pdf
National Monuments Service	Code of Practice (RPA)	Guidance	Jan-07	https://www.archaeology.ie/sites/default/files/media/publications/cop-rpa-en.pdf
National Monuments Service	Code of Practice (Iarnród Éireann)	Guidance	Feb-12	https://www.archaeology.ie/sites/default/files/media/publications/cop-iarnrod-eireann-en.pdf
National Monuments Service	Code of Practice (Bord na Móna)	Guidance	Feb-12	https://www.archaeology.ie/sites/default/files/media/publications/cop-bord-na-mona-en.pdf
National Monuments Service	Code of Practice (Irish Concrete Federation)	Guidance	Apr-09	https://www.archaeology.ie/sites/default/files/media/publications/cop-irish-concrete-federation-en.pdf
National Monuments Service	Code of Practice (ESB Networks)	Guidance	Apr-09	https://www.archaeology.ie/sites/default/files/media/publications/cod-esb-networks-en.pdf

Document Owner	Title	Type	Date	Link/Document Reference
National Monuments Service	Code of Practice (Eirgrid)	Guidance	Apr-09	https://www.archaeology.ie/sites/default/files/media/publications/cop-eirgrid-en.pdf
National Monuments Service	Code of Practice (Bord Gais Éireann)	Guidance	May-02	https://www.archaeology.ie/sites/default/files/media/publications/cop-bord-gais-eireann-en.pdf
National Monuments Service	Code of Practice (Coillte)	Guidance	May-02	https://www.archaeology.ie/sites/default/files/media/publications/cop-coillte-en.pdf
National Monuments Service	Code of Practice (TII)	Guidance	Jun-17	https://www.archaeology.ie/sites/default/files/media/publications/code-of-practice-agreed-between-tii-ahrrga-eng-1.pdf
National Museum of Ireland	Advice notes for completing an application form for a Licence to Alter/Export an archaeological object	Guidance	Apr-22	https://www.museum.ie/getmedia/1bce1f95-06b1-419e-a4dc-9a7b582b044c/IAD_AdviceNotes_AlterExport_P4.pdf
National Museum of Ireland	Human Remains Policy	Guidance	21/11/2019	https://www.museum.ie/getmedia/80bd1b97-7ffb-4bac-adf9-c45f71041611/NMI-Human-Remains-Policy-2019-2023-FINAL.pdf
Transport Infrastructure Ireland	Guidelines for the Assessment of Archaeological Heritage Impacts of National Road Schemes	Guidance	Jun-05	https://www.tiipublications.ie/downloads/SRM/12-Archaeology-Planning-Guidelines-2005.pdf
Transport Infrastructure Ireland	Guides for the Testing and Mitigation of the Wetland Archaeological Heritage for National Road Schemes	Guidance	Undated	https://www.tii.ie/tii-library/environment/construction-guidelines/Guidelines-for-the-Testing-and-Mitigation-of-the-Wetland-Archaeological-Heritage-for-National-Road-Schemes.pdf

Document Owner	Title	Type	Date	Link/Document Reference
Transport Infrastructure Ireland	TII Palaeo-environmental Sampling Guidelines	Guidance	Dec-15	https://www.tii.ie/technical-services/archaeology/resources/TII-Palaeo-environmental-Sampling-Guidelines.pdf

Table 3.2: List of professional practices documents from Ireland categorised as 'guidance'.

Document Owner	Title	Type	Date	Link/Document Reference
Institute of Archaeologists of Ireland	Code of Professional Conduct	Ethics	adopted April 2006	http://www.iai.ie/wp-content/uploads/2016/03/IAI-Code-of-Professional-Conduct.pdf
Institute of Archaeologists of Ireland	Code of Conduct for Archaeological Assessment Excavation	Ethics	adopted April 2006	http://www.iai.ie/wp-content/uploads/2016/03/IAI-Code-of-Conduct-for-Archaeological-Assessment-Excavation.pdf
Institute of Archaeologists of Ireland	Code of Conduct for Archaeological Excavation	Ethics	adopted April 2006	http://www.iai.ie/wp-content/uploads/2016/03/IAI-Code-of-Conduct-for-Archaeological-Excavation.pdf
Institute of Archaeologists of Ireland	Code of Conduct for Archaeological Monitoring	Ethics	adopted April 2006	http://www.iai.ie/wp-content/uploads/2016/03/IAI-Code-of-Conduct-for-Archaeological-Monitoring.pdf
Institute of Archaeologists of Ireland	Code of Conduct for the Treatment of Archaeological Objects	Ethics	adopted April 2006	http://www.iai.ie/wp-content/uploads/2016/03/IAI-Code-of-Conduct-for-the-Treatment-of-Archaeological-Objects.pdf
Irish Museums Association	Code of Conduct	Ethics	Online	https://irishmuseums.org/uploads/downloads/Code-of-Conduct-Board-of-Directors-IMA-6-September.pdf

Table 3.3: List of professional practices documents from Ireland categorised as 'ethics'.

3.2 INVENTORY: INTERNATIONAL

The inventory of documents for professional practice in archaeology in Europe and English-speaking territories included in this review is listed below (see Table 3.2). It includes documents from the Agentschap Onroerend Erfgoed (Belgium), Archaeological Institute of America, Association of Professional Archaeologists of Ontario (Canada), Australian Association of Consulting Archaeologists Inc (Australia), British Association of Biological Anthropology and Osteoarchaeology, Canadian Archaeological Association, Chartered Institute for Archaeology (UK and Germany), European Association of Archaeologists (Europe), Nederlandse Vereniging van Archaeologen (Netherlands), New Zealand Archaeological Association, the Register of Professional Archaeologists (North America), Society for American Archaeology.

Note that an Archaeological Ethics Database, which includes some related documents that may be classed as 'standards' or 'guidance', is maintained online by the Register of Professional Archaeologists and Chartered Institute for Archaeology. This can be found at www.archaeologicalethics.org/code-of-ethics/. Examples from English-speaking territories are included in the tables below, but a complete list can be found at the link above. Some organisations, such as the Society for Historical Archaeology, are sponsoring organisations of the Register of Professional Archaeologist and so follow their guidance.[15]

Notably the proportion of professional documents classed as standards and guidance is significantly less outside Ireland and Britain which may reflect differing forms of organisational structure that also incorporate non-professionals. For that reason, the case studies included in Section 5 include one on Chartered Institute for Archaeology and another on the European Association of Archaeologists. This issue will be explored further in the Milestone 2 report.

The Code of Ethics and other publications by the World Archaeological Congress are not included as their framing is designed apply to state parties, rather than individual professional archaeologists.[16] Similarly the International Council of Museums code of ethics is institutional, rather than individual.[17]

Document Owner	Title	Type	Date	Link/Document Reference
Agentschap Onroerend Erfgoed	Code of Practice (for archaeological investigations and metal detecting)	Standards	Mar-19	https://www.onroerenderf goed.be/sites/default/files/ 2019-03/CGP_V4_geen_TC_2019 0322.pdf

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[15] See SHA Ethics Statement, "…The SHA is a sponsoring organization of the Register of Professional Archaeologists (RPA). SHA members are encouraged to join the RPA and the SHA will use the RPA grievance process for ethics grievances." https://sha.org/about-us/ethics-statement/

[16] https://worldarch.org/code-of-ethics/

[17] See https://icom.museum/wp-content/uploads/2018/07/ICOM-code-En-web.pdf

Document Owner	Title	Type	Date	Link/Document Reference
Chartered Institute for Archaeology	Standard and guidance for archaeological advice by historic environment services	Standards	Oct-20	https://www.archaeologists.net/sites/default/files/CIfAS%26GArchadvice_4.pdf
Chartered Institute for Archaeology	Standard and guidance for the creation, compilation, transfer and deposition of archaeological archives	Standards	Jun-20	https://www.archaeologists.net/sites/default/files/CIfAS%26GArchives_4.pdf
Chartered Institute for Archaeology	Standard and guidance for the archaeological investigation and recording of standing buildings or structures	Standards	Oct-20	https://www.archaeologists.net/sites/default/files/CIfAS%26GBuildings_3.pdf
Chartered Institute for Archaeology	Standard and guidance for the collection, documentation, conservation and research of archaeological materials	Standards	Oct-20	https://www.archaeologists.net/sites/default/files/CIfAS%26GFinds_2.pdf
Chartered Institute for Archaeology	Standard and guidance for commissioning work or providing consultancy advice on archaeology and the historic environment	Standards	Oct-20	https://www.archaeologists.net/sites/default/files/CIfAS%26GCommissioning_2.pdf
Chartered Institute for Archaeology	Standard and guidance for historic environment desk-based assessment	Standards	Oct-20	https://www.archaeologists.net/sites/default/files/CIfAS%26GDBA_4.pdf
Chartered Institute for Archaeology	Standard and guidance for archaeological excavation	Standards	Oct-20	https://www.archaeologists.net/sites/default/files/CIfAS%26GExcavation_2.pdf

Document Owner	Title	Type	Date	Link/Document Reference
Chartered Institute for Archaeology	Standard and guidance for archaeological field evaluation	Standards	Oct-20	https://www.archaeologists.net/sites/default/files/CIfAS%26GFieldevaluation_3.pdf
Chartered Institute for Archaeology	Standard and guidance for forensic archaeologists	Standards	Oct-20	https://www.archaeologists.net/sites/default/files/CIfAS%26GForensics_4.pdf
Chartered Institute for Archaeology	Standard and guidance for archaeological geophysical survey	Standards	October 2020	https://www.archaeologists.net/sites/default/files/CIfAS%26GGeophysics_3.pdf
Chartered Institute for Archaeology	Standard and guidance for nautical archaeological recording and reconstruction	Standards	Oct-20	https://www.archaeologists.net/sites/default/files/CIfAS%26GNautical_2.pdf
Chartered Institute for Archaeology	Standard and guidance for stewardship for the historic environment	Standards	Oct-20	https://www.archaeologists.net/sites/default/files/CIfAS%26GStewardship_3.pdf
Chartered Institute for Archaeology	Standard and guidance for an archaeological watching brief	Standards	Oct-20	https://www.archaeologists.net/sites/default/files/CIfASGWatchingbrief.pdf
Register of Professional Archaeologists	Standards of Research Performance	Standards	Undated	https://rpanet.org/resources/Documents/Register-Standards.pdf

Table 3.4: List of professional practices documents from Europe and English-speaking territories categorised as 'standards'.

Document Owner	Title	Type	Date	Link/Document Reference
Archaeological Institute of America	Code of Professional Standards	Guidance	May 2019	https://www.archaeological.org/wp-content/uploads/2019/05/Code-of-Professional-Standards.pdf

Document Owner	Title	Type	Date	Link/Document Reference
Archaeological Institute of America	Statement on Sexual Harassment and Assault and Guidelines for Archaeological Field Projects	Guidance	May 2019	https://www.archaeological.org/wp-content/uploads/2019/05/AIA-Statement-on-Sexual-Harassment-and-Assault-and-Guidelines-on-Archaeological-Field-Projects.pdf
British Association of Biological Anthropology and Osteoarchaeology	Code of Practice	Guidance	2019	https://www.babao.org.uk/assets/Uploads/BABAO-Code-of-Practice-2019.pdf?
British Association of Biological Anthropology and Osteoarchaeology	Recommendations on Digital Imaging	Guidance	2019	https://www.babao.org.uk/assets/Uploads/BABAO-Digital-imaging-code-2019.pdf?

Table 3.5: List of professional practices documents from Europe and English-speaking territories categorised as 'guidance'.

Document Owner	Title	Type	Date	Link/Document Reference
Archaeological Institute of America	Code of Ethics	Ethics	May 2019	https://www.archaeological.org/wp-content/uploads/2019/05/Code-of-Ethics.pdf
Archaeological Institute of America	Policy on the Presentation and Publication of Undocumented Antiquities	Ethics	January 2020	https://www.archaeological.org/wp-content/uploads/2020/01/AIA-Publication-Presentation-Policy.pdf
Association of Professional Archaeologists of Ontario	Code of Ethics	Ethics	Undated	https://apaontario.ca/APA_Ethics
Australian Association of Consulting Archaeologists Inc.	Code of Ethics	Ethics	Undated	https://www.aacai.com.au/about-aacai/code-of-ethics/

Document Owner	Title	Type	Date	Link/Document Reference
British Association of Biological Anthropology and Osteoarchaeology	Code of Ethics	Ethics	2019	https://www.babao.org.uk/assets/Uploads/BABAO-Code-of-Ethics-2019.pdf?
Canadian Archaeological Association	Principles of Ethical Conduct	Ethics	undated	https://canadianarchaeology.com/caa/about/ethics/principles-ethical-conduct
Chartered Institute for Archaeology	Code of Conduct: professional ethics in archaeology	Ethics	Oct-21	https://www.archaeologists.net/sites/default/files/Code of conduct revOct2021_0.pdf
European Association of Archaeologists	EAA Code of Practice	Ethics	Sep-22	https://www.e-a-a.org/EAA/About/EAA_Codes/EAA/Navigation_About/EAA_Codes.aspx?hkey=714e8747-495c-4298-ad5d-4c60c2bcbda9
European Association of Archaeologists	EAA Code of Principles	Ethics	Sep-22	https://www.e-a-a.org/EAA/About/EAA_Codes/EAA/Navigation_About/EAA_Codes.aspx?hkey=714e8747-495c-4298-ad5d-4c60c2bcbda9
Nederlandse Vereniging van Archaeologen	Ethische Code	Ethics	2001	https://bpstatic.nl/user/nvva/Beroepscode_NVvA.pdf
New Zealand Archaeological Association	Code of Ethics	Ethics	May 1993	https://nzarchaeology.org/membership/code-of-ethics
Register of Professional Archaeologists	Code of Conduct	Ethics	Undated	https://rpanet.org/resources/Documents/Register-Code.pdf
Society for American Archaeology	Principles of Archaeological Ethics	Ethics	Nov 2018	https://www.saa.org/career-practice/ethics-in-professional-archaeology

Table 3.6: List of professional practices documents from Europe and English-speaking territories categorised as 'ethics'.

APPENDIX 4   GAP ANALYSIS

This was included in the Milestone 1 Report as Section 4

4.1 GAP ANALYSIS INTRODUCTION

The evidence-base for the gap analysis in this report was set out in the previous section (Appendix 3) and a preliminary comparison between the available IAI documents and those from CIfA and EAA are provided in Appendices 4.2-4.4 below. The main body of this report further explores the wider context in which archaeological practice takes place, but as part of the preliminary research for the Milestone 2 report, two case studies follow in Section 5.

As an overview, the broader categorisation of documents included in the inventory of this report (as Ethics, Standards and Guidance) in Section 3 is not utilised in the gap analysis here. The Milestone 2 report (the main body of this report) considers further the context of professional practice in Ireland and propose an overall framework that would include specific provisions to cover Ethics alongside identifying documents required to articulate Standards or as Guidance to achieve required Standards.

Appendix 4.2 and 4.3 of this report assess the existing provision of professional practice documents by IAI against the wider patterns noted in the international documents, firstly by CIfA (see Appendix 4.2) and then by EAA (see Appendix 4.3). This is followed by a preliminary review of the results.

4.2   GAP ANALYSIS: IAI AND CIFA.

For the gap analysis, a comparison is made below between the range of professional practice documentation available from the Institute of Archaeologists of Ireland and the Chartered Institute for Archaeology (see Table 4.1). The comparison with CIfA was based on the similarity with IAI as a professional body, although CIfA's suite of professional practice documents is further explored in the case study in Appendix 5.1.

The gap analysis does not take into account whether the document can be categorised as ethics, standards or guidance. Similarly, it should be noted that where individual documents appear to map onto each other, such as the *Code of Professional Conduct* (IAI) and *Code of Conduct: professional ethics in archaeology* (CIfA), the former includes both ethics that apply to officers and members of the board of the IAI and to members in general, rather than the profession in general, as with the CIfA *Code of Conduct*.

Institute of Archaeologists of Ireland	Chartered Institute for Archaeology
Code of Professional Conduct	Code of Conduct: professional ethics in archaeology
Code of Conduct for Archaeological Assessment Excavation	Standard and guidance for archaeological field evaluation
Code of Conduct for Archaeological Excavation	Standard and guidance for archaeological excavation

Institute of Archaeologists of Ireland	Chartered Institute for Archaeology
Code of Conduct for Archaeological Monitoring	Standard and guidance for an archaeological watching brief
Code of Conduct for the Treatment of Archaeological Objects	Standard and guidance for the collection, documentation, conservation and research of archaeological materials
Code of Conduct for Treatment of Human Remains The Treatment of Human Remains: Technical Paper for Archaeologists	Standard and guidance for forensic archaeologists
Best Practice Standard: Archaeological Services In Fixed Price Contracts	None
Environmental Sampling: Guidelines for Archaeologists	None
None (although see National Monument Service document Application for a Consent to use a Detection Device)	Standard and guidance for archaeological geophysical survey
None (although see National Monument Service document Application for a licence to Dive/Survey)	Standard and guidance for nautical archaeological recording and reconstruction
None	Standard and guidance for archaeological advice by historic environment services
None	Standard and guidance for the creation, compilation, transfer and deposition of archaeological archives
None	Standard and guidance for the archaeological investigation and recording of standing buildings or structures
None	Standard and guidance for commissioning work or providing consultancy advice on archaeology and the historic environment
None	Standard and guidance for historic environment desk-based assessment
None	Standard and guidance for stewardship for the historic environment

Table 4.1: Comparison of IAI and CIfA documents.

As can be seen from the table, the suite of documents produced by CIfA includes a number that align with the IAI documents. In the case of the IAI *Code of Conduct for the Treatment of Archaeological Objects* and the CIfA *Standard and guidance for the collection, documentation, conservation and research of archaeological materials* there is sufficient overlap to place them as roughly equivalent to each other. While the specific skills and knowledge domains differ slightly, both reflect non-excavation treatment of archaeological materials. Similarly, the *Code of Conduct for Treatment of Human Remains* is not the direct equivalent of the

Standard and guidance for forensic archaeologists but there would be sufficient overlap to consider them as roughly equivalent to each other.

4.3   GAP ANALYSIS: IAI AND EAA.

For the gap analysis, a comparison is made below between the range of professional practice documentation available from the Institute of Archaeologists of Ireland and the European Association of Archaeologists (see Table 4.2). The comparison with EAA was included given that, as a professional body it differs in form from both IAI and CIfA. EAA, as a case study is further explored in Appendix 5.2.

Institute of Archaeologists of Ireland	European Association of Archaeologists
Code of Professional Conduct	Code of Practice
Code of Conduct for Archaeological Assessment Excavation	None
Code of Conduct for Archaeological Excavation	None
Code of Conduct for Archaeological Monitoring	None
Code of Conduct for the Treatment of Archaeological Objects	None
Environmental Sampling: Guidelines for Archaeologists	None
Code of Conduct for Treatment of Human Remains The Treatment of Human Remains: Technical Paper for Archaeologists	Ethical Treatment of Archaeological Human Remains
Best Practice Standard: Archaeological Services In Fixed Price Contracts	Principles For Archaeologists Involved In Contract Archaeology
None	Ethical Practice in Expert Evaluation of Archaeological Material
None	Restitution and Repatriation of Contested Heritage Objects
None	Principles For Archaeological Research
None	Principles For Archaeologists Involved In Academic Teaching And Training
None	Principles For Archaeologists Involved In Fieldwork Training
None	Publication of Decontextualised Archaeological Artefacts
None	Indigenous Heritage
	Principles For The Role Of Archaeologists In Climate Action

Table 4.2: Comparison of IAI and EAA documents.

As with the CIfA gap analysis above (Appendix 4.1), the gap analysis does not take in to account whether the document can be categorised as ethics, standards or guidance. Similarly, there is not a full concordance between documents that appear to mirror each other, such as the *Code of Professional Conduct* (IAI) and *Code of Conduct* (EAA). This can be illustrated through a comparison of the subheadings (see below and Table 4.3).

The IAI *Code of Professional Conduct* is divided up into the following sections:
- Preamble
- A member shall undertake not to bring the profession of archaeology into disrepute
- A member shall undertake to perform all archaeological work in accordance with professional standards (*note, in the online version of the Code of Conduct this section is erroneously numbered 1.3.1*)
- Members shall provide a professional service to their client or employer.
- Members shall fully support the principal of facilitating the dissemination of the archaeological results gathered during the course of a commission or project.
- Members shall respect the Intellectual Property of their fellow members.
- Members shall abide by the legislation governing all aspects of the practice of archaeology (in the online version of the Code of Conduct this section is numbered 1.6 similar to the preceding section)
- A member is required to ensure that this Code of Professional Conduct is observed throughout their membership of the Institute

The EAA *Code of Conduct* is divided up into the following sections, some of which overlap with those in the IAI *Code of Conduct*:
- Preamble
- Archaeologists in Society
- Archaeologists and the Profession
- Safe Work Environment, Equality and Inclusion
- Guiding Principles

A comparison of the content of individual sections shows the extent of overlap between the two documents, and the wider concordance between the codes of conduct (see Table 4.3). While many of the concepts are articulated differently, the general intent and range of coverage is similar enough to identify them as mirroring each other. The broader content of the EAA Code of Conduct and Principles are considered further in the case study in Appendix 5.2.

IAA (below), EAA (right)	Preamble	Archaeologists in Society	Archaeologists and the Profession	Safe Work Environment, Equality and Inclusion	Guiding Principles
Preamble	✕	✕	✕	✕	✕
A member shall undertake not to bring the profession of	✕	✕	✕	✕	✕

IAA (below), EAA (right)	Preamble	Archaeologists in Society	Archaeologists and the Profession	Safe Work Environment, Equality and Inclusion	Guiding Principles
archaeology into disrepute	X	X	X	X	X
A member shall undertake to perform all archaeological work in accordance with professional standards	X	X		X	X
Members shall provide a professional service to their client or employer.	X	X			X
Members shall fully support the principal of facilitating the dissemination of the archaeological results gathered during the course of a commission or project.	X	X			X
Members shall respect the Intellectual Property of their fellow members.	X		X		X
Members shall abide by the legislation governing all aspects of the practice of archaeology	X	X			X
A member is required to ensure that this Code of Professional Conduct is observed throughout their	X	X	X	X	X

IAA (below), EAA (right)	Preamble	Archaeologists in Society	Archaeologists and the Profession	Safe Work Environment, Equality and Inclusion	Guiding Principles
membership of the Institute	✕	✕	✕	✕	✕

Table 4.3: Comparison of content of IAI and EAA Codes of Conduct.

4.4 RESULTS OF GAP ANALYSIS

For the gap analysis, a comparison was made between the suites of documents available from CIfA and EAA and those published by IAI. Where IAI does not currently have provision, Tables 4.1 and 4.2 include a note identifying any equivalent document available in Ireland and previously listed in Tables 3.1-3.3.

The comparison between IAI and CIfA was undertaken, based on an assumed similarity with IAI as a professional body. In that regard, CIfA has produced standards and guidance documents that largely map onto IAI codes of conduct, although the IAI codes should be regarded more as ethical statements while the CIfA documents are specifically designed as standards and guidance (see Appendix 5.1 for a case study). In that regard, there is possibly a closer match between some of the non-IAI professional practice documents from Ireland, that identify standards and guidance for archaeological excavations such as those from the National Monuments Service, Historic Environment Division and the former Department of Arts, Heritage and the Gaeltacht.

Of equal importance here are the conditions and guidance notes associated with applications for a variety of licences for archaeological work in Ireland, since they provide the main statements regarding standards. That aside, some of the professional domains covered by CIfA documents are not given specific provision in the suite of IAI documents or are immediately mirrored in other documents from Ireland listed in Tables 3.1-3.3. This is not to say that other documents from Ireland do not overlap with the content of the CIfA documents, but rather that specific provision for such document is not currently available in Ireland. These are:

- Standard and guidance for archaeological advice by historic environment services,
- Standard and guidance for the creation, compilation, transfer and deposition of archaeological archives,
- Standard and guidance for the archaeological investigation and recording of standing buildings or structures,
- Standard and guidance for commissioning work or providing consultancy advice on archaeology and the historic environment,
- Standard and guidance for historic environment desk-based assessment,.
- Standard and guidance for stewardship for the historic environment.

The gap analysis with EAA was included here as an alternative to CIfA in that the scope of EAA as a professional body it differs in scale to both IAI and CIfA. The EAA also delivers its professional practice documents in a different structure to CIfA (see case study in Appendix

5.3). The provision of specific professional practice documents by EAA is confined to statements on its Code of Conduct and Code of Principles. In both cases this provides an ethical framework that covers most archaeological professional practice. In that regard, EAA's provision does not include standards and guidance documents. While many of the IAI Codes of Conduct can be characterised as ethical statements, rather than standards and guidance, they cover areas of professional practice not specifically covered by the EAA codes. The EAA approach differs from that of both IAI and CIfA and so is considered to have value here for comparative purposes.

Just as most of the IAI codes of conduct are not directly paralleled in the codes published by EAA, similarly there are not specifically articulated statements from IAI or other bodies in Ireland that directly match those by EAA in a number of areas, including:
- Ethical Practice in Expert Evaluation of Archaeological Material
- Restitution and Repatriation of Contested Heritage Objects
- Principles For Archaeological Research
- Principles For Archaeologists Involved In Academic Teaching And Training
- Principles For Archaeologists Involved In Fieldwork Training
- Publication of Decontextualised Archaeological Artefacts
- Indigenous Heritage
- Principles For The Role Of Archaeologists In Climate Action

APPENDIX 5   CASE STUDIES

This was included in the Milestone 1 Report as Section 5

5.1   CASE STUDIES: CIFA AND EAA

The two case studies here are included to provide context to the gap analysis between the provision of professional practice documents from IAI and in Ireland with practice elsewhere. This provides an insight into other organisational approaches to maintaining standards and enhancing professional practice in archaeology. The purpose of the case studies is to provide a more detailed assessment of the type of provision offered, its structure, content and purpose. The two organisations included here are the Chartered Institute for Archaeology and the European Association of Archaeologists.

5.2   CASE STUDY: CHARTERED INSTITUTE FOR ARCHAEOLOGY

The Chartered Institute for Archaeology describes itself as "...*the leading professional body representing archaeologists working in the United Kingdom and overseas*".[18] While it currently only includes two bodies on its Register of Organisations from outside the UK itself, there are CIfA Deutschland and CIfA Australia sections and the organisation sees its remit as providing support in other territories where requested.

The stated aims of CIfA are to "promote high professional standards and strong ethics in archaeological practice, to maximise the benefits that archaeologists bring to society' and to be 'the authoritative and effective voice for archaeologists, bringing recognition and respect to our profession." The organisation was created in 1982, first as the Institute for Field Archaeologists and then became the Institute for Archaeologists in 2006, receiving a Royal Charter in December 2014.

The organisations strategic plan to 2030 includes the following key objectives:
- CIfA-accredited professionals will provide improved research and engagement, using fit-for-purpose technical and ethical standards for competence, education, and practice, supported by useful guidance
- more archaeologists will want their professionalism recognised. A larger, more diverse and inclusive profession will offer a wide range of expertise and better reflect its relevance to society
- professional archaeologists will be more effectively promoting the many public benefits of archaeology, and will be more trusted and more valued as a result
- provide the governance and resources that let the profession flourish

The overall strategy from CIfA is try and meet these objectives, so that by 2030 "...CIfA-accredited professionals will be setting and meeting improved standards for learning, competence and ethical practice. They will be trusted influencers in the discipline. Through

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[18] For more on CIfA see www.archaeologists.net/ (this includes detailed sections with information on values, strategy etc).

their professionalism they will deliver greater public benefit, and they will be better recognised for doing so."[19]

In terms of publications, CIfA's output includes Professional Codes of Conduct as well as specific Professional Practice Papers[20]. The codes of conduct include the documents below (see also Tables 3.4-3.6):

- Code of Conduct: professional ethics in archaeology
- Standard and guidance for archaeological advice by historic environment services
- Standard and guidance for the creation, compilation, transfer and deposition of archaeological archives
- Standard and guidance for the archaeological investigation and recording of standing buildings or structures
- Standard and guidance for the collection, documentation, conservation and research of archaeological materials
- Standard and guidance for commissioning work or providing consultancy advice on archaeology and the historic environment
- Standard and guidance for historic environment desk-based assessment
- Standard and guidance for archaeological excavation
- Standard and guidance for archaeological field evaluation
- Standard and guidance for forensic archaeologists
- Standard and guidance for archaeological geophysical survey
- Standard and guidance for nautical archaeological recording and reconstruction
- Standard and guidance for stewardship for the historic environment
- Standard and guidance for an archaeological watching brief

As part of a 2021-22 project with CIfA, Historic Environment Division (Department for Communities, NI) and IAC Archaeology, the suite of CIfA documents listed above was reviewed to ensure that the information with regard to professional archaeological work in Northern Ireland was correct and up to date. Based on the same review, these documents do not currently cover professional archaeological practice in the Republic of Ireland. One purpose of this suite of documents is to facilitate mobility of professionals within the various territories with particular regulatory and legislative frameworks, mainly England, Scotland, Wales and Northern Ireland, although some are clearly more general and applicable elsewhere (eg where no such standards and guidance is available). In the course of the CIfA/IAC project it was clear that one purpose of the suite of documents was that an archaeologist working in Wales could take up a role in Scotland and use those CIfA documents to identify any variations between practice in the two areas. As the standards and guidance is provided for various domains of professional practice this supports the mobility of specialists within the particular area of the discipline.

More broadly, CIfA provide a wide suite of standards and guidance documents to capture best practice procedures across a range of professional domains in archaeology. In the context of CIfA's main professional constituency, archaeologists working in the UK, there

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[19] See https://www.archaeologists.net/mission
[20] See https://www.archaeologists.net/publications/papers

appears to be sufficient scale to justify provision of dedicated documents in these domains. One issues that arises, though, as 'standards' documents is in the breadth and variation in applicable legislation, and direction from regulatory bodies.

For instance, a list of relevant bodies is noted in the Standard and guidance for the collection, documentation, conservation and research of archaeological materials. This states that "In addition, this guidance seeks to amplify directions given in national planning guidance (see Appendix 6) and to be compatible with current guidelines issued by other authorities, such as the Archaeological Archives Forum, the Archaeology Data Service, CADW, Department for the Environment of Northern Ireland, Historic England, Historic Environment Scotland, CIfA, the Museums Documentation Association, Museums Libraries and Archives and the Society of Museum Archaeologists."[21] Such an extensive list of organisations, and potential legislation and regulations, poses significant challenges for issuing 'Standards' and 'Guidance' documents. Since they do not explicitly set out the standards required to comply with the applicable regulations and legislation, by definition, they are not fully providing 'guidance' on how to achieve those standards.

As a comparison with the suite of documents produced as codes of conduct by IAI, it would appear that the initial classifications, for this report, of the IAI documents as 'ethics' and CIfA documents mainly as 'standards' obscures a number of points of relevance to the CIfA documents. Firstly, the wider regulatory scope of the CIfA documents mitigates against them fully achieving their intention to act as 'standards and guidance' and highlights the difficulty in producing comprehensive provision for professional practice. There is also wider range of available documents in the suite of CIfA standards and guidance which may facilitate the organisation engaging with a fuller range of professional practice domains. Lastly, there may be useful lessons for IAI in the design of CIfA documents to either facilitate multi-jurisdictional professional practice, and/or to promote greater mobility across the various domains of professional practice.

5.3 CASE STUDY: EUROPEAN ASSOCIATION OF ARCHAEOLOGISTS

The European Association of Archaeologists currently has over 15,000 members on its database from some 60 countries world-wide working in prehistory, classical, medieval and later archaeology. As an organisation, the EAA has participatory status with the Council of Europe and joined the European Heritage Alliance 3.3 in 2017.[22]

The EAA identifies its role as setting the professional and ethical standards of archaeological work through its Statutes and Code of Practice. The EAA communities help define important aspects of archaeological work through constant discussion and consultation with EAA membership at EAA annual conferences and EAA publications: the *European Journal of Archaeology*, *Themes in Contemporary Archaeology* monographs, and *The European Archaeologist* newsletter. The EAA website[23] identifies the aims of EAA as:

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[21] See page 4 in https://www.archaeologists.net/sites/default/files/CIFAS%26GArchives_4.pdf
[22] The information in this section is largely drawn from the EAA's website, see https://www.e-a-a.org/EAA/About/About_EAA/EAA/Navigation_About/About_EAA.aspx?hkey=a11b32c9-8491-4169-8648-438218d5acf9
[23] See www.e-a-a.org/EAA/

- To promote the development of archaeological research and the exchange of archaeological information in Europe.
- To promote the management and interpretation of the European archaeological heritage.
- To promote proper ethical and scientific standards for archaeological work.
- To promote the interests of professional archaeologists in Europe.
- To promote archaeology to the public, and to raise awareness of archaeology in Europe.
- To promote cooperation with other organisations with similar aims.
- To promote interest in archaeological remains as evidence of the human past and contributing to our knowledge of human culture and to discourage a focus upon any commercial value that may attach to such material.
- To work for the protection of archaeological remains and cultural heritage, including the prevention of related illegal activities.
- To promote friendship and peaceful cooperation of archaeologists.

Given the range of its membership, both in terms of numbers, and the range of territories in which they work and practice, EAA attempts to achieve some of its aims through publication of peer-reviewed research to reflect exemplars of good practice to promote guidance and standards targeted to specific domains, such as environmental analysis or artefact specialisms. Although EAA currently publishes a newsletter *The European Archaeologist*, the *European Journal of Archaeology*, and its two series, *Themes* and *Elements*, there is no specific technical report or standards series to gather together professional practice outputs.

It should be noted that provision for standards and guidance is included in only one of EAA's nine stated aims (as included above) where it aspires 'To promote proper ethical and scientific standards for archaeological work'. The ethical standards are set out in the EAA's Code of Conduct and Code of Principles.[24] Given the breadth of EAA membership, these ethical statements cover many of the domains of professional archaeological practice. These are not confined to a set of ethics that are reviewed and updated, as required, but also includes EAA Statements made in response to contemporary issues to clearly articulate an ethical position on behalf of members, such as the *Statement on Archaeology and Gender* published in April 2021.[25]

For an organisation of the scale of the EAA, ethics presents a way to articulate shared values that transcend differences in professional practice, territories and employment circumstances. Those same differences appear to mitigate against EAA making provision for standards and guidance, given the wide range of contexts in which archaeologists are employed across all sixty countries. While there are significant differences in scale between EAA and IAI, the EAA provides a model for provision of an ethical framework for professional practice, rather than seeking to also articulate standards and guidance directly.

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[24]See https://www.e-a-a.org/EAA/About/EAA_Codes/EAA/Navigation_About/EAA_Codes.aspx?hkey=714e8747-495c-4298-ad5d-4c60c2bcbda9
[25]See https://www.e-a-a.org/EAA/Navigation_News/2020_Statement_on_Archaeology_and_Gender.aspx