

# CODE OF ETHICS and RULES OF PRACTICE

of the

## UNITED KINGDOM INSTITUTE FOR CONSERVATION OF HISTORIC AND ARTISTIC WORKS

### INTRODUCTION

The purpose of the Code of Ethics and Rules of Practice is to set out the professional standards expected of conservator-restorers and those occupied in related activities who are members of the United Kingdom Institute for Conservation.

This code is based on the question of what makes the profession creditable and respectable? The main answers are; honesty in dealings with clients, employers, employees and colleagues; giving good and fair advice; being aware of ones' limitations; carrying out conservation work to the highest possible standards and not damaging objects; charging fairly for work. From this it can be seen that a code of practice can be distilled down to treating all persons equally, honestly and pleasantly; maintaining the utmost respect for the objects, whatever their value or rarity, and striving to increase knowledge and understanding of the profession.

In the future, situations will occur which have not been covered by this Code and Rules. As UKIC and the profession develop, alterations and additions will need to be made to the Code of Ethics and Rules of Practice. Whatever alterations are made they must comply with the Memorandum of Association of the Institute.

To draw up this draft Code of Ethics and Rules of Practice the codes and guidelines of the American Institute for Conservation (AIC) and Institute for the Conservation of Cultural Materials in Australia (ICCM) have been used extensively as have those of the International Council of Museums (ICOM) and the Museums Association. Many publications have been referred to, particularly the Code of Practice from the Society of Archivists, ECCO professional Guidelines, IIC-Canadian Group, The General Medical Council Fitness to Practice, Chartered Surveyors' Rule Book; also the work of the UKIC Standards of Practice Committee which produced a Standards of Conduct report in 1988.

Draft copies of the Code and Rules were distributed to UKIC and the Sections for comment. Where possible the suggestions were incorporated but at times opposing opinions from different groups meant that we attempted to reach a compromise which reflected the nature of UKIC. A draft was also shown to the Institute's solicitor to ensure that the Code and Rules did not step outside the legal limit and complied with the Memorandum of Association of the Institute.

### GENERAL GUIDELINES

The Code of Ethics and Rules of Practice embody the principles and obligations which must govern the behaviour of every Member\* of UKIC when practising conservation\*. In the interest of UKIC and the public, Members should observe accepted standards and laws, uphold the dignity and honour of the profession and accept its self-imposed disciplines.

The fundamental role of each Member is the preservation\* of cultural property\* for the benefit of present and future generations but without losing sight of the role or purpose of the cultural property. The Code of Ethics and Rules of Practice aim to safeguard all cultural property regardless of the age, state of completeness monetary value or client\*.

Objects designated as cultural property are entrusted to the care of the conservator-restorer\* who has a responsibility not only to the cultural property but also to the client\*, the public and posterity. The care and treatment\* of cultural material is the shared responsibility of the client and the conservator-restorer\* who have to balance the requirements for preservation against the need to use, understand or appreciate the items.

The Code of Ethics sets out certain basic principles which are intended to ensure that members maintain the highest standards of professional practice. Should a case arise when a member is believed to have fallen short of the standards desired, procedures for Disciplinary Action are described within the Articles or Regulations of UKIC. (Article 8.1 & 8.2; Regulation 1.3.1 to 1.3.5)

## REQUIREMENT

All Voting Members of UKIC are required to sign an undertaking that they will abide by the Code of Ethics and Rules of Practice (Regulation 1.2.2).

Adherence to the Code of Ethics and Rules of Practice is a matter of personal responsibility. Members should always be guided by the intent of this document.

\* an asterisk is used at the first use of a word which is defined in the Glossary.

## CODE OF ETHICS of the

### UNITED KINGDOM INSTITUTE FOR CONSERVATION OF HISTORIC AND ARTISTIC WORKS

- I. Each Member\* must strive to achieve the highest possible standards, according to current knowledge, in all aspects of conservation\*. This includes, but not limited to: examination\*; treatment\*; preventive conservation\*; research; documentation\*; training and conservation advice.
2. Each Member shall consider the relevance of preventive conservation as a means of promoting the long-term welfare of cultural property\*.
3. Each Member must strive to preserve cultural property for the benefit of future generation but he/she must make every effort to maintain a balance between the preservation\* of cultural property and the need to use, understand and appreciate it.
4. The actions of each Member must be governed by a respect for and knowledge of the cultural property including its physical, historic, cultural, scientific, religious and aesthetic context.
5. Each Member should recognise the limits of his/her skills and abilities, of those for whom he/she is responsible, and the limits of available facilities, when devising and implementing conservation measures.
6. Each Member shall treat all professional relationships with honesty and respect, recognise the rights and opportunities of all individuals in the profession and respect the profession as a whole.

7. Each Member has the responsibility to endeavour to contribute to the growth and progression of themselves and the profession to the highest standards by continuing to develop knowledge and skills, by sharing this information and experience, and by providing or promoting educational opportunities.
8. Each Member shall seek to promote an awareness and better understanding of conservation through communication with allied professions and the public.
9. Each Member has an obligation to promote adherence to and understanding of the Code of Ethics.

## RULES OF PRACTICE

of the

### UNITED KINGDOM INSTITUTE FOR CONSERVATION OF HISTORIC AND ARTISTIC WORKS

#### 1. THE MEMBER AND CULTURAL PROPERTY

1.1. GENERAL OBLIGATION Each Member must work to the highest standard of practice.

##### 1.1.1. Standard of treatment\*

Each Member shall adhere to the highest standard of treatment, regardless of the monetary value of an object. Although circumstances may limit the extent and type of treatment, the quality of treatment must not be compromised.

##### 1.1.2. Preventive Conservation\*

Each Member should take into account preventive conservation before carrying out treatment on the cultural property.

##### 1.1.3. Recognition of Limitations

Each Member shall carry out only that work which is within the limits of his/her professional competence and facilities. If work is required beyond those limits the client must be advised.

##### 1.1.4. Documentation\*

Each Member has an obligation to document work by recording all essential details of the conservation of an object using text and images as appropriate. Records of examination\*, treatment and evaluation of treatments should be kept as intrinsic to the care and preservation of an object; they should be kept in as permanent a manner as practical, and be available for appropriate access. The extent and type of documentation will vary with the nature of the cultural property and conservation work required.

##### 1.1.5. Copyright

Copyright law must be complied with.

The documentation which was created by the Member is the intellectual property of the Member unless he/she is an employee and the work was carried out in the course of his/her employment; or subject to the terms of the contract\* of employment.

##### 1.1.6. Moral right

Each Member should recognise the moral rights accorded to documentation and other written work; i.e. no work may be changed, except by the author or with his/her consent, to alter the effect of the work or the reputation of the author.

1.1.7. Human remains and material of religious or ritual significance Each Member must show respect for human remains and cultural property which has a ritual or religious significance. He/she should be cognisant of any special requirements, whether legal or social, of such material.

#### 1.1.8. Object Maintenance

Where possible each Member should give advice on the continuing use and care of the cultural property; recommend appropriate environmental conditions and other requirements for storage and exhibition and encourage proper procedures for handling, packing and transport.

#### 1.1.9. Professional Development

Each Member must enrich his/her knowledge and skills and keep abreast of current developments through continued study, and communication with conservators and other specialists with the aim of improving the quality of professional work.

UKIC requires that each Member participates in professional development including courses, lectures, conferences and distance learning. A record of the attendance should be kept .

### 1.2. EXAMINATION\*

#### 1.2.1. Examination

No conservation should be undertaken without appropriate examination having first been carried out and without an evaluation of proposed treatments, of the condition of the cultural property and of its future role and use.

#### 1.2.2. Sampling

The permission of the client must be given before carrying out any examination or tests that may cause change to the cultural property and before any material is removed. A minimum of material necessary should be removed, a record of removal kept, and the material retained as part of the examination record with the owner's consent. Where possible non-destructive methods of testing should be used [see 1.3.4.].

#### 1.2.3. Consultation

Each Member must be able to work in multi-disciplinary groups. When necessary or appropriate the Member shall consult with historians, scientists, archaeologists, creators or other specialists and shall participate with them in a full exchange of information.

#### 1.2.4. Scientific Investigation

Each Member should follow accepted scientific standards and research protocols.

### 1.3. CONSERVATION TREATMENT

#### 1.3.1. Necessity for treatment

Each Member must not undertake any treatment on cultural property without first assessing and establishing the necessity and suitability for such intervention. He/she must also have clear aims and purpose for the conservation and restoration.

#### 1.3.2. Extent of treatment

Each Member should not undertake any treatment which is more extensive than necessary. No treatment may be carried out when intervention is unnecessary. Any essential intervention should not be omitted.

#### 1.3.3. Materials and methods

Each Member shall choose methods and materials that, to the best of current knowledge, will not adversely affect the cultural property. No method or material should be used before establishing any likely reactions between the material and the cultural property.

#### 1.3.4. Alterations and removal of material

No aspect of cultural property should be altered nor should material be removed from it without justification. [see 1.2.2.]

#### 1.3.5. Restoration\* and Reconstruction\*

Any intervention to compensate for loss should be clearly documented. It should be detectable by common examination methods. Such restoration should aim to be reversible and should not permanently modify the aesthetic and physical characteristics of the cultural property unless for clearly defined and over-riding structural or physical reasons and with the consent of the client.

#### 1.3.6. Fraud

No Member should knowingly be an accessory to fraud.

### 1.4. EMERGENCY SITUATIONS

When an emergency threatens cultural property, a Member must take all reasonable immediate action to preserve the cultural property, even though strict adherence to the Rules of Practice may not be possible. A Member must be prepared to justify his/her actions if necessary and should return to working within the guidelines as soon as possible.

## 2. RELATIONSHIP WITH THE CLIENT

### 2.1. COMMUNICATION

Each Member should communicate fully and clearly with the client so that there is a thorough understanding of responsibilities, procedures, shared decisions and realistic expectations.

### 2.2. CONSENT OF THE CLIENT

Each Member must act only with the consent of the client, and request written instruction.

### 2.3. DISAGREEMENT

Each Member should refuse any request to act in a way he/she demonstrates to be contrary to the terms and spirit of the Code of Ethics and Rules of Practice.

### 2.4. CONFIDENTIALITY

2.4.1. With the exception of information concerning examination and conservation, each Member must not allow the unauthorised disclosure or use of any information acquired in confidence during the course of his/her professional work.

2.4.2. No Member shall, without the client's consent, disclose personal information concerning that client unless legally required to do so or to comply with the Rule concerning Illicit Material [3.8.].

### 3. THE CONSERVATOR AND THE PROFESSION

#### 3.1. GOOD PRACTICE

Each Member must maintain the highest standards of behaviour and work.

#### 3.2. SECURITY

Each Member must take reasonable measures to ensure the security of the cultural property in his/her care. The working and storage conditions must be designed to safeguard the cultural property.

#### 3.3. FEES

3.3.1. Fees charged by each Member should be commensurate with services rendered and should not be influenced by the client's ability to pay nor by the value of the object.

3.3.2. A Member should not knowingly under price their work in order to gain a contract.

#### 3.4. INSURANCE

3.4.1. Each Member must carry or ensure that they are covered by appropriate insurance.

3.4.2. Each Member must establish the insurance status of the cultural property in care and inform the client in writing of the insurance status of any cultural property in the Member's care.

3.4.3. A Member acting in a consultative capacity should ensure that he/she holds Professional Indemnity Insurance. Members should be aware that they remain responsible for the work even after the contract\* is completed.

#### 3.5. ADVERTISING

##### 3.5.1. Accuracy

Each Member shall ensure that any publicity for which he/she may be held responsible is accurate, straightforward, honest and unlikely to cause public offence.

##### 3.5.2. References to UKIC

No Member shall purport to represent the views of UKIC unless expressly authorised to do so.

Members must not make reference to UKIC in their promotional literature unless they are accredited by the organisation.

#### 3.6. LAWS AND REGULATIONS

Each Member should be familiar with laws and regulations associated with his/her work, such as those concerning: health and safety; employment; insurance; building regulations; the rights of artists and their estates; sacred and religious material; excavated objects; endangered species; human remains; and stolen or illicit property.

#### 3.7. DISHONESTY

Each Member may be liable to disciplinary proceedings if he/she is convicted of criminal deception, forgery, fraud, gross negligence, theft or any other offence involving dishonesty in the course of his/her professional activities.

### 3.8. ILLICIT MATERIAL

When a Member knows or has reason to believe that he/she is being asked to work on stolen property, cultural property which has been exported illegally from its country of origin, or imported illegally into the United Kingdom or illegally obtained, it is his/her duty to report this to the police, the Arts and Antiques Squad, Customs and Excise and the Cultural Property Unit of the Department of National Heritage.

### 3.9. DELEGATING AND SUBCONTRACTING

Each Member must not subcontract or delegate work without the client's express permission. The Member contracted to carry out the conservation work is wholly responsible for every aspect of his/her contract including the standard of subcontracted work.

### 3.10. SHARE INFORMATION

3.10.1. Each Member should be willing to share all information on the efficacy and use of treatments or procedures and of information gained from research, examination or treatment. Divulging such information should not conflict with the Member's ability to profit from the process such as by selling material and patenting processes. [See 1.1.4., 1.1.5 and 2.4.1.]

3.10.2. The recipient of information should acknowledge sources in both oral and written public presentations [see 1.1.5.].

3.10.3. Each Member must not knowingly be party to the dissemination of false or misleading information.

### 3.11. ADVERSE COMMENT

3.11.1. A Member may be required to testify in legal, regulatory or administrative proceedings concerning allegations of unethical practice. All comment should be considered carefully and substantiated by facts and personal knowledge.

3.11.2. Allegations of unprofessional conduct by a Member should be reported in writing to the UKIC Council as described in the Regulations. All correspondence regarding alleged unethical practice shall be held in strictest confidence.

### 3.12. REFERENCES AND RECOMMENDATIONS

A Member should not recommend or provide a personal reference for a person or persons without having personal knowledge of the training, experience, abilities and competence of that individual or group.

### 3.13. CONFLICT OF INTEREST

3.13.1. UKIC discourages activities which might prejudice a Member's professional integrity. In particular, each Member must ensure that private research and publication, collaboration with the media or dealing in cultural property for commercial gain do not conflict with, or encroach upon, his/her professional responsibilities.

#### 3.13.2. Freelance work

A Member taking freelance work when employed by an institution, studio, workshop or similar employment should not trade on the name of the employer and should make it clear whether he/she is

acting on behalf of the employer or on behalf of him/herself. He/she should take on work only with permission from the employer or his/her representative.

### 3.14. EMPLOYMENT

Each Member who employs conservator-restorers should encourage them to act as competent professional Members and should provide an opportunity for continued study and development.

## GLOSSARY OF TERMS

In the Code of Ethics and Rules of Practice some words have been used in their broadest sense and should be read as such.

**Conservation:** all actions aimed at the safeguarding of cultural property for the future, including interpretation.

**Conservator-restorer:** for the purposes of this document conservator-restorer is used for any person whose primary occupation is the conservation of cultural property, and who has the training, knowledge, ability and experience to carry out conservation activities.

**Cultural property:** includes all types of works which are judged by society to be of cultural, aesthetic, artistic, historic or scientific value. Cultural property can be classified into two major categories:

1. Moveable objects: works of art, artefacts, natural history specimens, books, manuscripts, moving image and sound, and other objects of natural, historical, scientific, archaeological or technological origin. It also refers to collections, groups of objects, composite objects etc.
2. Immovable objects: monuments of nature, architecture, art or history and archaeological sites and structures of historical or artistic interest.

**Client:** refers to the person or persons having legal ownership of the cultural property or the person or persons exercising professional custodianship over the cultural property. Thus a wide section of people are included such as owners, agents, custodians, curators, architects, surveyors, archaeologists, keepers whether they be from museums, institutions or the private sector.

**Contract:** an agreement whether verbal or written. Written contracts are recommended as they help avoid misunderstandings.

**Documentation:** All of the records, text and images, accumulated during the examination and treatment of the cultural property; where applicable, it includes the examination record, treatment proposal, estimate of time/cost, client consent, treatment record and summary, recommendations for future use, storage and exhibition.

**Examination:** examination is concerned with establishing information on the composition and structure of the cultural property, its condition and case history; identification, extent and nature of deterioration alterations and loss; evaluation of the causes of deterioration; determination of the type and extent of treatment needed. Examination includes the study of relevant documentation. Where necessary the Member shall initiate analyses of materials.

**Historic:** of the past, including archaeological, palaeontological, geological history as well as more recent history.

**Member:** any person who is a Voting member of UKIC and has signed the Code of



## Ethics and Rules of Practice.

**Preservation:** all actions taken to retard deterioration of or prevent damage to cultural property. It involves controlling the environment and conditions of use and may include treatment in order to maintain an object, as nearly as possible, in an unchanging state. In the case of archival material, moving image and sound, this may include transferring to another material.

**Preventive conservation:** all actions taken to retard deterioration and prevent damage to cultural material through the provision of optimum conditions of storage, exhibition, use, handling and transport.

Professional standards include:

- carrying out conservation work to an appropriate standard
- recognition of levels of competence and limitations
- at least the minimum legal requirements of insurance
- reasonable security
- reasonable fire precautions
- adhering to all health and safety laws
- invoicing correctly
- adhering to contractual agreements
- a thorough knowledge of legal requirements regarding building sites, scaffolding etc.

**Reconstruction:** all actions taken to recreate, in whole or in part, the missing elements of cultural property, based on historical, literary, graphic, pictorial, oral archaeological and scientific evidence. Its aim is to promote an understanding of an object, and is based on little or no original material. For the purpose of this document reconstruction meaning rebuilding broken material is included by the terms conservation or treatment.

**Restoration:** all actions taken to modify the existing materials and structure of cultural property to represent a known earlier state. Its aim is to preserve and reveal the aesthetic and historic value of the cultural property and it is based on respect for remaining original material and clear evidence of the earlier state.

**Treatment:** consists mainly of direct action carried out on the cultural property with the aim of retarding further deterioration or aiding physical interpretation.

## FOOTNOTES

1 According to the 1988 Copyright, Designs and Patents Act 1988 the author owns the copyright even when the work has been commissioned unless: the author is an employee on PAYE and the work was done during the course of his/her employment; before the work is produced it is agreed that the commissioner or some other person will be the first owner of the copyright.

2 Standards could be included regarding what qualifies as suitable continuing development, how it is recorded etc.

3 c.f. publications such as Howard, K. Sharp, J. The management of student research projects. Aldershot. Gower.1983.; Hult, A. Research and writing across the curriculum. 2nd Ed. Belmont, CA. Wadsworth. 1990.

4 The agreement with the client should clearly specify the following where possible:

- an assessment of the condition;
- the work to be done and the reasons;
- the possible effect and outcome of the work;
- the basis for charges;
- the extent and substance of documentation;
- responsibility for the insurance of the cultural property;
- the completion date;
- method of handling;
- whether any work is to be subcontracted or reassigned.

5 Conservators are likely to have to carry or to be covered by the following insurances:

Public liability insurance: required by law when working on site.

Employer's liability insurance: required by law.

Professional indemnity: required when Members are giving advice or acting as consultants. Members should be aware that they remain responsible for the work even after the contract is completed.

Accidental damage, fire and flood: this may be requested by the client or covered by the client. The client should be advised of the insurance situation.

Theft: this may be requested by the client. The client should be advised of the insurance situation. This may be expensive and is related to the value of the object and thus, where possible should be paid for by the client rather than increase the overheads of the conservator.