

The Welsh Archaeological Trusts

Code of Practice for provision of archaeological advice

The Welsh Archaeological Trusts

The four Welsh Archaeological Trusts were established in the mid-1970s. They are independent Limited Companies and Registered Charities who maintain a professional archaeological staff and provide broadly-based historic environment information and advice within their respective regions.

The Trusts are organisations registered with the Chartered Institute for Archaeologists (CIfA). Principal staff and team heads are Members of CIfA and are therefore subject to its Code, standards and guidance.¹ CIfA members are expected to follow the principles set out in CIfA guidance wherever they work and in whatever capacity, as well as complying with national legislation and local requirements.

The Trusts are members of the Association of Local Government Archaeological Officers: UK and the Association of Local Government Archaeological Officers: Wales/Cymru.

The work of the Trusts includes the maintenance of Historic Environment Records for their respective regions,² the provision of specific archaeological and other historic environment advice, and the implementation of schemes to mitigate the impact of development on archaeological remains.

There can be circumstances when a Welsh Archaeological Trust provides advice on archaeological and other historic environment matters as part of the planning process (Advisor function) and delivers works arising from that advice (Practitioner function). Funding for the Advisor work is provided by Welsh Government grants administered through Cadw and support from the Local Planning Authorities. The Welsh Archaeological Trusts, Welsh Government and Welsh Local Authorities work

¹ <http://www.archaeologists.net/codes/cifa>

² The Historic Environment Records are held in four separate charitable trusts each created by the respective Welsh Archaeological Trust in 2008.

together to ensure that advice on historic environment matters is given by competent persons.

Welsh Historic Environment Planning Policies

Welsh Government's Planning Policies in respect of conserving the Welsh historic environment are set out in *Planning Policy Wales*³ and related advice.⁴

Purpose of this Code of Practice

This Code of Practice, drawn up at the request of Welsh Government, identifies the procedures that the four Welsh Archaeological Trusts have introduced to ensure that there is a clear separation between their Advisor and Practitioner roles so that conflicts of interest are avoided. It complements, rather than replaces, other codes of practice, codes of conduct, and standards and guidance used in the professional practice of archaeology.

This Code of Practice is primarily concerned with the separate control of historic environment advice provided by the Welsh Archaeological Trusts, in particular the provision of development management advice and control of works in the planning process. It also applies where similar advice is provided in respect of developments not covered by that process, but which could affect historic environment interests.⁵

Principles of the Code of Practice for Advisors

The principles and practices adopted by the Welsh Archaeological Trusts for the provision of advice are those required by the Chartered Institute for Archaeologists

³ *Planning Policy Wales* (Edition 9 – November 2016) 6.3.10 'The Welsh archaeological trusts manage and maintain regional historic environment records (HERs). The curatorial sections of the Trusts also provide archaeological advice to the local planning authorities to allow a proper consideration of the impact of a proposal on the archaeological resource, including advice on schemes to mitigate any adverse impacts. They should be contacted, as appropriate, in the exercise of plan preparation and development management functions.'

⁴ Particularly *Welsh Office Circulars 60/96 Planning and the Historic Environment: Archaeology* and *61/96 Planning and the Historic Environment: Historic Buildings and Conservation Areas* and any replacement Technical Advice Note.

⁵ For example works carried out on Crown Estates, or under Faculty Applications, or under certain Marine or Agri-environmental regimes.

Standard and guidance for archaeological advice by historic environment services⁶

The standard states:

‘Archaeological advice on the historic environment must aim to benefit the public both now and in the future, through management and advancement of understanding. It will contribute to the achievement of sustainable development and the realisation of social, environmental or economic benefits.

Advice must be clear, consistent, compliant, reasonable, timely, informed and impartial, and should be proportionate to a reasoned and clearly-documented assessment of known or potential significance.

Advice must be provided by suitably qualified, skilled and competent advisors and based on an up-to-date and publicly-accessible information base maintained to nationally-agreed standards.’

Operation of this Code of Practice

This Code of Practice will be operated by the four Welsh Archaeological Trusts and periodically reviewed with Cadw.

Any concerns regarding the operation of this code should firstly be drawn to the attention of the respective Trust(s), and then if necessary to Cadw.

Any allegation regarding professional misconduct and/or failure to meet the ClfA Code, standards or guidance should be drawn to the attention of the Chartered Institute for Archaeologists.

⁶ http://www.archaeologists.net/sites/default/files/ClfAS&GArchadvice_2.pdf

Code of Practice⁷

1. Advisor and Practitioner functions will be carried out independently by separately managed sections or teams within each Trust.
2. The Advisors at each Trust will provide informed, impartial and independent professional advice on the implications and impact of proposed developments on the historic environment. All advice will comply with relevant Welsh Government policy, advice and guidance.
3. All confidential or privileged information provided to or by the Advisors of the Trust will be securely managed to maintain confidentiality.
4. For development management and historic environment advisory work, the Advisors at each Trust will treat Practitioner functions within the Trust in the same manner as all other practitioners. There will be no preferential exchange of information within the Trusts.
5. The Advisors at each Trust will direct anyone inviting tenders for archaeological work to appropriate independent sources of information to enable them to select suitably qualified archaeological practitioners.
6. The Advisors at each Trust recognise that those intending to commission archaeological work may wish to engage an independent archaeological consultant to prepare or assess a written scheme of investigation, project design or specification of works intended to satisfy an archaeological brief, to monitor the progress of the work, or to provide advice on recommendations for further action.
7. The Advisors at each Trust will provide impartial professional assessment and approval of archaeological briefs, project designs, written schemes of investigation, and the subsequent archaeological works and reports, irrespective of the contractual delivery arrangements.

⁷ This Code of Practice was first issued in November 1997; it was last updated and revised in 2016.

Glossary and definition of terms⁸

Archaeological Advisor

An appropriately qualified and experienced individual or organisation providing archaeological advice and information on the designated and undesignated terrestrial and marine historic environment. An advisor may be employed by or contracted to a local authority, national heritage body or regulator, charitable trust, national park, or other public body.

ALGAO (Association of Local Government Archaeological Officers)

The Association provides a forum representing archaeologists working for local authorities and national parks throughout the UK. The component national associations of ALGAO are ALGAO: England, ALGAO: Scotland and ALGAO: Wales/Cymru. Its members are senior archaeologists employed or contracted to provide advice on archaeological conservation and management.

Archaeological Assessment

An assessment of the known or potential archaeological resource within a specified area or site (land-based, inter-tidal or marine), consisting of a collation of existing written and graphic information, in order to identify the likely character, extent and relative quality of the actual or potential resource.

Archaeological

Pertaining to the investigation of the material remains of the human past.

Archaeological advice

Expert advice based on archaeological knowledge and directed towards improved understanding and management of the historic environment. Archaeological advice is based

on an up-to-date information base, and on the appreciation of significance.

Archaeological consultant

An organisation or individual providing expert archaeological analysis and advice. The term

here does not apply to those providing field-based investigation and dissemination services.

Archaeological practitioner

An organisation or individual undertaking desk-based and field-based investigative, analytical or specialist work on archaeological sites or historic buildings within the development process, and who will prepare relevant reports and publications on that work.

Brief

⁸ Definitions are or are closely based on those defined by the Chartered Institute for Archaeologists in or in annexes to their published Standards and Guidance.

A document prepared by the advisor on behalf of a local planning authority or other decision making body setting out the broad requirements for work to be undertaken in support of a planning application.

ClfA (Chartered Institute for Archaeologists)

The Chartered Institute for Archaeologists (ClfA) advances the practice of archaeology and allied disciplines by promoting professional standards and ethics for conserving, managing, understanding and promoting enjoyment of heritage.

Competent

Competent individuals can perform the activities within an occupation or function to the standards expected in employment. In England, Scotland and Wales, the Chartered Institute for Archaeologists (ClfA) assesses technical and ethical competence within its membership application procedure, assigning a membership grade according to the occupational competence of the individual. The competence of archaeological organisations is assessed through the ClfA Registered Organisations Scheme.

Evaluation

A limited programme of non-intrusive and/or intrusive fieldwork which determines the presence or absence of archaeological features, structures, deposits, artefacts or ecofacts within a specified area or site and, if they are present, defines their character and extent, and relative quality. It enables an assessment of their significance in a local, regional, national or international context as appropriate.

Historic Environment Record

Historic Environment Records are information services that should provide access to comprehensive and dynamic resources relating to the historic environment of a defined geographical area for public benefit and use. Typically, they comprise databases linked to a geographic information system (GIS), and associated reference material, together with a dedicated staffing resource. An effective HER will be regularly maintained and updated and easily accessible to the public.

Historic environment service

A service provided by or commissioned by a local authority, national park, charitable trust or

other not-for-profit public body and which may undertake the identification, recording,

conservation, presentation and interpretation of the historic environment and heritage assets of a given geographical area.

Impartial

Independent of any contractual, commercial or other potentially conflicting interest.

Project design

A written statement on the objectives of a project, including methods, timetable and resources. These form the framework for the execution of the project through to completion, set out in sufficient detail to be quantifiable, implemented and monitored.

Specification

A detailed method statement prepared by an applicant in response to a brief provided by a local planning authority. The specification (sometimes called a written scheme of investigation), once approved by the local planning authority, becomes the scope of work against which planning conditions will be discharged.

Background Legislation, Regulation, and Professional Practice Codes and Standards

Ancient Monuments and Archaeological Areas Act (1979)

Historic Environment (Wales) Act (2016)

Archaeological Investigations Code of Practice for Mineral Operators (Confederation of British Industries 1991)

Planning Policy Wales (Edition 9, 2016)

Planning and the Historic Environment: Archaeology (Welsh Office Circular 60/96)

Planning and the Historic Environment: Historic Buildings and Conservation Areas (Welsh Office Circular 61/96)

Technical Advice Note 24

Planning and the historic environment: directions by the Secretary of State for Wales (Welsh Office Circular 1/98)

Environmental Impact Assessment (Welsh Office Circular 11/99)

Minerals Planning Policy Wales (MPPW) (2001)

Model Briefs and Specifications for Archaeological Assessments and Field Evaluations (Association for County Archaeological Officers 1993)

Standard and Guidance for archaeological advice by historic environment services (ClfA 2014)

Standard and Guidance for the creation, compilation, transfer and deposition of archaeological archives (ClfA 2014)

Standard and Guidance for the archaeological investigation and recording of standing buildings or structures (ClfA 2014)

Standard and Guidance for the collection, documentation, conservation and research of archaeological materials (ClfA 2014)

Standard and Guidance for commissioning work on, or providing consultancy advice on, archaeology and the historic environment (ClfA 2014)

Standard and Guidance for historic environment desk-based assessment (ClfA 2014)

Standard and Guidance for archaeological excavation (ClfA 2014)

Standard and Guidance for archaeological field evaluation (ClfA 2014)

Standard and Guidance for archaeological geophysical survey (ClfA 2014)

Standard and Guidance for an archaeological watching brief (ClfA 2014)

Standard and Guidance for the stewardship for the Historic Environment (ClfA 2014)

Standard and Guidance for forensic archaeologists (ClfA 2014)

Standard and Guidance for nautical archaeological recording and reconstruction (ClfA 2014)

The Chartered Institute for Archaeologists Code of Conduct (2014)

Archaeologists Code of Approved Practice for the Regulation of Contractual Arrangements in Field Archaeology (Institute of Field Archaeologists 1999)

The Treasure Act 1996: Code of Practice (England and Wales) (Department of National Heritage 1997)

The Welsh Archaeological Trusts Regional Historic Environment Records Access and Charging Policy (2008)

Guidelines for digital archaeological archives (RCAHMW 2015)

Use of conditions in planning permission (Welsh Office Circular 35/95)

Key Organisations Contact Details

Clwyd-Powys Archaeological Trust

41 Broad Street
Welshpool
Powys
SY21 7RR

Tel: 01938 553670
Fax: 01938 552179

Web: <http://www.cpat.org.uk>

Dyfed Archaeological Trust

The Corner House
6 Carmarthen Street
Llandeilo
Carmarthenshire
SA19 6AE

Tel: 01558 823121

Web: <http://www.dyfedarchaeology.org.uk>

Glamorgan-Gwent Archaeological Trust

Heathfield House
Heathfield
Swansea
SA1 6EL

Tel: 01792 655208
Fax: 01792 474469

Web: <http://www.ggat.org.uk>

Gwynedd Archaeological Trust

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Cadw

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Web: <http://cadw.wales.gov.uk>

Chartered Institute for Archaeologists

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Association of Local Government Archaeological Officers

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