

Summary

This factsheet intends to provide guidance to follow if you are opening your records to be viewed by researchers. You will discover:

- Reasons why you might need to restrict access to records
- Appropriate conditions for providing access
- Guidance on providing copies to researchers

The guidance which follows is not prescriptive and should be adapted wherever necessary to meet local circumstances.

Introduction

Unless your organisation is able to maintain a supervised archive reading area on site, it is recommended that archival records are transferred to a Diocesan Record Office (DRO)¹ or similar institution, such as a university library, with the necessary facilities to ensure appropriate viewing, including reading aids such as foam wedges and weights. For more information on working with DROs see the factsheet titled “Agreements with record offices”.

However, if records are retained in your immediate care and you agree to allow access to researchers, you will need to develop agreed procedures, both to ensure the preservation of the documents and to fulfil legislative and other necessary access restrictions.

Closure of records

Before releasing any material to be viewed by a researcher you should consider if a closure period should be applied. A closure period would result in the record being closed and no access granted for research, usually for a specified time period. There are various reasons why you might close records, including:

- Compliance requirements – you must comply with any legislative requirements, which would include protections given to living individuals by the Data Protection Act.
- Protection of interests – you should not allow records to be viewed that would prejudice your present and future work, or the interests of the Church of England generally.
- Protection of confidence – if records are marked as confidential it may be a breach in confidence to release them for viewing too early.
- Protection of the record – if a record is in a fragile condition you may wish to close it to stop any further deterioration.

To use a practical example, the Church of England Record Centre² closes all archive records until they are 30 years old. It would then apply particular exceptions to this rule to accommodate such requirements as those listed above when a record should be closed for longer than 30 years. Whilst they are a rare occurrence, there are also

¹ If your organisation has its own archive you should discuss public access requirements with the archive staff.

² <http://www.lambethpalacelibrary.org/content/cerc>

exceptions when the 30 year closure period will be waived for particular research purposes (e.g. the writing of biographies or organisational histories). It is important that such instances be carefully considered and discussed with relevant owners of the records.

Rather than assessing closure periods on an ad hoc basis as access requests arise, it is advisable to consider this issue at large and agree an appropriate closure period for all colleagues to adhere to. You should also discuss any categories of records which should be closed for a longer period. The retention advice for your specific area of work can be of use here as it will assist with the identification of the various categories of records you hold.

Details of any closure periods should form part of any agreement you have for depositing records with a Diocesan Record Office.

Access conditions

If access is granted for researchers to view records in your care it would be appropriate to expect any requests to be made in writing (letter or email) and to insist that an appointment is booked in advance. You may also want to consider asking for a letter of introduction to provide a reference for the researcher. Possible sources for a letter of introduction include: an academic supervisor, archivist, librarian, employer or vicar. At the very least you should expect the researcher to supply a current address and to show proof of identification.

The protection of any records being viewed is essential and in order to ensure this, it is advisable to adhere to the following rules:

- Researchers should be supervised at all times and never left on their own with the records.
- Never lend records to a researcher to take away.
- Set up a table or desk for the researcher to work from. You may like to consider an electrical socket in close proximity to this so that a researcher is able to use a laptop.
- Do not issue a large number of loose items at once, rather stagger these in appropriate intervals (for example three files at a time) and emphasise the need to retain papers in their original order.
- Compile a list of all the records to be viewed and make sure that each item is counted in and out.
- Do not allow researchers to have coats and bags at the desk with them. These should be kept a reasonable distance away.
- Researchers should only be permitted to use pencils when making notes, pens or highlighters should not be near the records.
- No food or drink should be allowed in the same room as the records.

Providing copies to researchers

A researcher(s) may wish to be supplied with copies of some of the records he/she is consulting or make copies of such records. The overriding considerations must be the safety and protection of the record and the maintenance of copyright, if applicable. No bound volumes of manuscripts or archives should be photocopied or scanned on a conventional copier/scanner. They could instead be photographed if the facilities are available on site.

When providing copies, or allowing a researcher(s) to take digital or other copies themselves, it is important to ask them to sign a declaration form prior to copying which states that:-

- (a) the researcher(s) has not previously been supplied with a copy of the same material by you;
- (b) the researcher(s) will not use the copy except for a non-commercial purpose or private study; and
- (c) the researcher(s) will not supply a copy of it to any other person.

You should include on the declaration a list of all records copied and advise the researcher(s) that supplying of the copies does not imply permission to publish or reproduce. You should also include a statement in the declaration which states that if the declaration is false, the copy supplied by you may be in breach of copyright legislation and in such circumstances the researcher(s) shall be liable for that breach as if he/she had made that copy him/herself.

If a researcher(s) wishes to reproduce any of the records copied and you are the copyright owner you will need to first grant permission if you wish to allow this, and request that they make an appropriate acknowledgement in the publication.

You should be aware that the copyright of some of the records in your care may be owned by someone else, therefore you must exercise caution in providing copies. If you do not own the copyright in the record then it must be made clear that it is the researcher's responsibility to ensure that he/she is not in breach of copyright by making copies, (e.g. through obtaining permission from the copyright owner or a licence from a recognised licensing scheme, such as the Copyright Licensing Agency).

The advice detailed here is for guidance only, and does not constitute legal advice. You are strongly advised to seek your own legal advice. Further general guidance on the issue of copyright can be found on the website of the Intellectual Property Office (www.ipo.gov.uk) and on the website of The National Archives (www.nationalarchives.gov.uk).

Factsheets available in the records management toolkit

- What is records management
- Organising your records
- Looking after your paper records
- Looking after your electronic records
- Looking after your emails
- Looking after your multimedia records
- Agreements with record offices
- Access to records
- Data protection
- Copying and copyright
- Glossary

Further guidance

For further guidance please contact the Church of England Record Centre:

15 Galleywall Road, South Bermondsey, London, SE16 3PB.

020 7898 1030

archives@churchofengland.org

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