

Aim & purpose

The University of Huddersfield Archives & Special Collections Service aims to collect and preserve material relating to the University of Huddersfield and its predecessors; to those organisations, families and individuals which have a direct connection with the University and/or its predecessors; and that material with a curriculum or research relevance to the University. It also aims to make this material available for use by members of the public.

This access policy focusses on the means by which the collections are offered for use either directly or indirectly. It includes both physical and intellectual access, onsite and remote. It will assist in decision making and prioritising work in a range of circumstances, including:

- Providing access to the holdings which is balanced with their long-term preservation and legislative requirements;
- Cataloguing work by staff and volunteers;
- The submission of funding bids with an access and audience development aspect;
- Improvements to accommodation for customers including the development of new accommodation.

Context

The Service is committed to providing access to the resources in its care, and subscribes to the principles of the Public Services Quality Group 'Standard for Access to Archives', which has been adopted by the Archives & Records Association UK & Ireland.

The Standard does not seek to create new rights of access; instead it emphasises the conditions necessary to ensure rights of access are meaningful in the practical circumstances of the Service. Adoption of the standard or any part of it is voluntary, but it forms a set of performance criteria in this area of its work.

The Access policy should be read in conjunction with the Library Service Customer Service Standards which sets out the University's commitment to providing an excellent service to all our users. The University's Equalities and Diversity policy statements, and procedures such as those for customer suggestions and complaints also form the local framework to this policy.

Statutory framework for access to information

The legislative framework covering access to information in the collections comprises:

- The Data Protection Act 1998;
- The Freedom of Information Act 2000;
- The Environmental Information Regulations (EIRs) 2004.

Scope of the access policy

Access is a wide-ranging term which encompasses

- managerial and financial considerations such as accommodation, staffing levels and policies;
- physical facilities for researchers visiting the service;
- facilities for researchers using the service at a distance;
- promotion of the collections, historical and local research, and the Service;

- legislative, managerial and administrative procedures and decisions affecting how items are described and used;
- intellectual processes of describing individual items through cataloguing and indexing to internationally agreed professional standards.

Note that this policy excludes University records in the care of Schools, Campuses and Services until those selected for permanent preservation as archives are transferred to the permanent holdings of the Archives & Special Collections Service.

General principles

The communities which the archive service is constituted to serve extend beyond the formal boundaries of its responsible body, and the service will probably serve multiple communities of stakeholders. These are persons, corporate bodies or defined groups with an interest in the present and future activities of the service including depositors and future researchers (the purpose of the preservation of the records).

The Service shall subscribe to the aims and spirit of the PSQG standard. In implementing the standard the Service shall in its interpretation be guided by the aims and spirit rather than a narrow interpretation of the text. It shall aim to serve its communities as effectively and efficiently as possible, and shall seek to serve all of its communities, devising a range of services appropriate to the communities' stated or implied needs.

The Service shall aim to encourage as much access by researchers to primary and secondary source material as is compatible with the permanent preservation of unique and irreplaceable material. There should be a presumption of openness and any restrictions should conform to tightly defined criteria.

The Service shall define the objectives it is seeking to achieve, and consult with stakeholders to develop and review that definition. The satisfaction of researchers shall be amongst the primary objectives, and the Service shall explicitly plan to achieve those objectives and consult with stakeholders in developing that plan. Systems will be in place to measure its performance against its plans, and explicit responses will be made to over-and under-performance and to stakeholder feedback to maintain an appropriate balance of resources over the full range of objectives.

The Service shall have customer feedback mechanisms and complaints procedures, and clear channels of communication to and from other stakeholders. It shall communicate to stakeholders its definition of stakeholders, its objectives, its plans, its performance, the means of communicating with it, and its response to feedback.

Access services function through processes in which the user is an active participant and in which the user has responsibilities as well as rights. The Service shall communicate and if necessary enforce these responsibilities.

Catalogues and documentation

It is recognised that encouraging and improving access to the collections in its care is a key objective for the Service: access to information fundamentally depends on adequate catalogues for searching and retrieval.

The Service will seek to reduce its cataloguing backlogs and ensure that as much incoming material is catalogued to international standards as soon as reasonably possible after receipt. Cataloguing backlogs for archives will be prioritised (using criteria including ownership, length of time held, already listed in some form, size of collection, existing/potential demand), and the resulting action plan will be reviewed and updated annually.

The Service will work towards providing a single, complete catalogue covering all the collections in its care, which will be available online. Catalogues of individual archives will also be available in hard copy in the searchroom, for the purposes of browsing and overview research. The catalogues will as far as possible conform to the following international standards and best practice:

- International Standard for Archival Description (General) – ISAD(G) 2nd edn (International Council on Archives, 1999);
- International Standard for Describing Functions – ISDF 1st edn (International Council on Archives, 2007);
- MACHINE Readable Cataloguing Concise Format for Bibliographic Data - MARC 21 (Library of Congress, 2006);
- Dublin Core metadata set for digital image metadata;
- International Standard Archival Authority Record for Corporate Bodies, Persons, and Families - ISAAR(CPF) 2nd edn (International Council on Archives, 2004);
- Rules for the Construction of Place Names – NCA Rules (National Council on Archives, 1997);
- The UK Archival Thesaurus – UKAT (UKAT, 2004).

All incoming material, whether archives or special collections, will be fully accessioned within two weeks of receipt, and the details in the archives accession register will be made widely available according to the Acquisition Policy. Recent accessions will be regularly publicised through appropriate channels, including the Service's webpages and annually to the National Register of Archives.

The Service will also seek to publish guides to its holdings to improve and encourage access to the collections. These will be made available in both hard copy and online formats.

The Service will work with colleagues in the region and nationally to develop a 'joined up' approach to increasing access to the archive and local studies collections. It will take part in initiatives such as the Archives Hub, projects under the auspices of the UK Archives Discovery Network. It will supply copies of completed archive catalogues to the National Register of Archives.

The Service will work with University staff facilitating student placements, with local heritage groups and other societies, and with individuals, to undertake basic cataloguing, transcription and indexing of records.

Onsite access

The Service searchroom is the main frontline service delivery point and will deliver services to researchers in line with the Library Customer Service Standards, where staffing levels allow. In addition, researchers visiting the searchroom can expect

- Staff to be identifiable, and the name of the manager to be on display;
- Professionally qualified staff to be available by appointment to advise on suitable sources of information held either by the Service or elsewhere;

- A range of finding aids and catalogues providing access points to the collections, and reference materials complementing the collections in line with the Service's Acquisition Policy;
- Study space which is pleasant and clean, with additional equipment such as magnifiers available;
- Premises to comply with the Disability Equality Duty in the Disability Discrimination Act;
- Advice and guidance on the suitable handling of original materials and protective equipment which assists customers to fulfil their responsibilities to the long-term preservation of original materials (see Preservation policy appendix 1: Guidelines for researchers using the searchroom);
- Presentation facilities and an information architecture for digital materials which is capable of supporting the retrieval and use of digital archives by users .
- To be made aware of certain of the security measures in place including invigilation and recording of personal details in line with the Data Protection Act 1998;
- To be made aware of their responsibilities towards and expectations of the behaviour of other users;
- Access to customer suggestion and complaint forms;
- Free internet access and computing facilities;
- A range of reprographics services that meet the needs of the user without placing materials at risk of damage and which are provided in line with the requirements of the Copyright Designs and Patents Act 1988 and subsequent legislation;
- Retrievals from secure areas to be completed within 20 minutes of a request. If there is likely to be a delay the customer will be informed of this;
- Items that are not yet catalogued may be made available to customers if the Duty Staff consider retrieval of such items can be made in a reasonable time, and without risk of loss or damage.

Remote, explicit access via enquiries

The Service encourages customers who are unable to visit in person to use our remote information services or contact us directly; the Service response will be in line with the Library Customer Service Standards. In addition, those contacting the Service direct can expect:

- To be told the name of the staff member dealing with their enquiry;
- To be able to order photographic work and access other services such as research services or purchasing publications by post;
- To be advised in advance of fees and charges payable.

Fees & charges

The Service offers a research service for enquiries from people who are unable to visit in person. There are three levels of service:

1. Routine enquiries about Archives & Special Collections including making appointments, availability of particular sources etc: no charge.
2. Requests for copies (eg, extracts from books, pamphlets, newspapers & journals etc) where exact references are supplied: small charge for the cost of the costs and handling.
3. Requests for research into original documents where exact references and dates cannot be supplied: charges per hours research.

Charges are also made for the provision of copies in various forms and for the sale of items such as publications. Fees are payable for the reproduction of items in the collections held by the

Service; these may be waived in lieu of copies of publications containing the items being given to the Service for the holdings if these would fall within the scope of the Acquisition Policy. These arrangements will be made on a case by case basis. Application for the reproduction of images must be made in advance.

Advance notice will always be given of applicable fees and charges so that charges are not incurred by users inadvertently; where charges are payable they must be paid in advance

Where charges are set, they are agreed and reviewed annually by the Director of Computing & Library Services. The list of current fees and charges will be available in the searchroom and from the Service webpages.

Remote, implicit access (eg. via websites, audience development events)

The Service will make information available on its webpages and in other appropriate web directories and regional/national networks such as the Archives Hub, ARCHON and the National Register of Archives. This will include physical access information such as opening hours, contact details and directions to the Service, as well as fees and charges, details of how to order photographs, copies and research work. The Service's website and other sites will also carry as much searchable information about content as possible.

The Service will also seek to engage, enthuse and inform those who are not its customers by undertaking a range of outreach activities. Those with whom we engage in this way can expect:

- An excellent level of service from polite, helpful and suitably trained staff;
- Staff who are identifiable as such;
- Professionally qualified staff available by appointment to advise on suitable sources of information held either by the Service or elsewhere;
- Advice and guidance on suitable handling of original archival & special collections material;
- Access to customer suggestion/complaint/feedback forms.

Where digital content is made publicly available, wherever possible Creative Commons licences will be used enabling the free non-commercial use of content. Digitisation projects include a rights clearance process; the copyright and takedown procedures for web content are listed in Appendix 2 of this policy.

Restrictions on access to information

The Service recognises the general right of access to information held by public authorities, provided by the Freedom of Information Act 2000 and the Environmental Information Regulations (EIRs) 2004. Requests for information will be completed within the statutory 20 working day period.

Certain records may be deemed 'not yet open' to public inspection if they contain information that would breach the Data Protection Act 1998 if disclosed to a third party. Procedures are in place to deal with access to an enquirer's own personal information, deemed 'Subject Access Requests'. Duty staff are available to give further advice on access to such material.

Exemptions for archival records

Restrictions on access will be noted as far as possible in the public catalogue, and will be amended to reflect the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.

Records containing personal information (other than specific categories listed below)

In line with the The National Archives, Archives & Records Association, Information & Records Management Society and National Association of Information Managers *Code Of Practice For Archivists And Records Managers under Section 51(4) of The Data Protection Act 1998* (version 6, amended to take account of the comments of the Information Commissioner's officer of 21/12/06), access to personal data in archives by someone other than the data subject or the data controller (or his employees) will normally be permitted for historical or statistical research under the relevant conditions, namely that

- The data is not processed to support measures or decisions relating to particular individuals, and
- The data is not processed in such a way that substantial damage or substantial distress is, or is likely to be, caused to any data subject.

Such access will be subject to closure periods up to a maximum of 100 years, the assumed lifetime of the individual. In administering shorter closure periods or otherwise authorising disclosure of data, the Service should be able to cite conditions in Schedules 2 and 3 of the Data Protection Act 1998 as applicable and should consider the criteria that access must be lawful and fair, taking into account matters including any duty of confidence, the nature and age of the information, and the credibility of the data.

Steps will be taken to safeguard the fair and lawful use of data including:

- Explaining to intending researchers the "relevant conditions" that apply to the research use of particular data, including sensitive personal data (see 4.2);
- Requiring researchers to sign a declaration that, as a condition of access to data that might otherwise be closed, they will comply with the relevant conditions and Data Protection Principles (1, 3-4 and 6-8);
- Informing researchers that they are responsible under the Act for any processing by them of personal data disclosed to them, including copying, realignment, transmission abroad and publication (see 4.1.6).

A copy of the Data Protection Undertaking is in Appendix 1.

Uncatalogued collections (Freedom of Information Act s. 22)

Collections which are uncatalogued may be exempt, in that they are intended for publication at a future date as part of the office's cataloguing programme. The Service will develop a Priority Cataloguing Plan for the archives which is made publicly available and which is updated annually. The University Archivist & Records Manager can advise on access to uncatalogued collections.

Other privately deposited records (Freedom of Information Act s. 41)

Some privately owned records may be exempt if they were deposited with a confidentiality agreement between the Service and the owner.

Responsibility for the policy

Archives & Special Collections Service

Access policy

University of
HUDDERSFIELD

This policy was approved by the University Research Committee on 20 September 2011, and amended by URC on 11 March 2014.

It will be reviewed and revised in 2018.

Appendix 1:

Researcher Undertaking: Access to Archives containing personal information where the subject of the information is alive or likely to be alive (assuming a life span of 100 years)

Name of researcher:

Full postal address:

Description of records to be consulted:

I request permission to consult the records listed above and agree to make use of any personal data contained therein in compliance with the Data Protection Act 1998.

My research will not be used to support measures or decisions with respect to particular individuals. My research will not cause or be likely to cause substantial damage or substantial distress to any person who is the subject of those data while (s)he is alive or likely to be alive (assuming a life span of 100 years).

I will not make the results of my research available in a form that identifies any data subject without the written consent of the data subject or the data controller.

I understand that I shall become responsible for compliance with the Data Protection Act 1998 in relation to any processing by me of personal data obtained from the above records

Signed

Date

The original signed undertaking is retained by the Service and a copy provided to the researcher.

Appendix 2

Copyright clearance and takedown

The Service has taken a 'best endeavours' approach to finding rights-holders for copyright material which we have digitised. These are the circumstances under which we may remove online material.

As part of our mission, we are committed to making collections freely available to users, both through our reading rooms and online.

Before making material available online, the Service endeavours to mitigate risk of damage to third parties by checking the copyright status of and other rights in material wherever feasible, and, where possible, contacting rights-holders for permission to make material available; and carrying out risk assessments to identify sensitive and/or personal data, in accordance with our Access Policy.

In addition, we also take the following steps to further reduce the risk to rights-holders and/or individuals:

- Access to certain types of digital content on our website may require users to agree to terms and conditions of use, and/or require registration
- Archive material less than 100 years old will normally be available on a non-commercial basis only (unless permission has been given for commercial use) or may be subject to other restrictions imposed by rights-holders.
- Archive material less than 10 years old won't be made available online.

The terms and conditions of use of all digital content are made clear to users at point of access.

In some cases it is extremely difficult to identify all potential copyright holders. This is particularly the case for archive material, most of which consists of unpublished documents and which is often in manuscript form (handwritten letters or notebooks, for example). Names may be illegible or missing, may be impossible to identify securely or trace, or the current copyright owner may simply be unknown. For this type of material, we make all reasonable efforts to ensure copyright holders' interests are respected and permission sought where it is feasible to do so. However, we cannot guarantee to have traced or contacted every potential rights-holder.

In order to reduce the risk to rights-holders, all potentially in-copyright material that is put online is made available under a non-commercial licence. Furthermore, all of our online collections are subject to a takedown policy. If we are contacted by a potential rights-holder (by email to archives@hud.ac.uk) we will remove the material in question from our web presence until we have been able to assess the case, and if appropriate we will ensure the material is removed temporarily or permanently from our website as appropriate. This also applies to cases in which rights-holders who have previously given permission wish to retract it for any reason.

In making material available online the University acts in good faith. However, despite these safeguards, we recognise that from time to time material published online may be in breach of copyright, contain sensitive personal data, or include content that is obscene or defamatory. On receipt of a request to take material down from our web presence, the Service will respond by immediately removing the material in question. Requests will then be assessed by a review panel who will consider each request on its merits. The panel will aim to respond definitively within four weeks, but may require additional time to seek external advice where appropriate.

The panel may approve continued withdrawal of the material if one or more of the following criteria is met:

- The material is in copyright, and the copyright-holder refuses permission for it to be made available online.
- The material is personal information about someone who is still alive and continued online access would be unlawful or unfair to him under the Data Protection Act or would breach his or his family's right to a private and family life under the Human Rights Act 1998.
- The material is personal information about a deceased individual that requires closure or restriction in accordance with the Wellcome Library's Personal Data Policy.
- The material is defamatory or obscene.
- The material acquires sensitivity by virtue of being made available online.

All takedowns will be signalled openly on the website.

Where material is removed for reasons of Data Protection or sensitivity, its removal will be considered as temporary and will be restored at a date decided by the panel once its sensitivity is deemed to have subsided. Where material is removed for reasons of copyright, its removal will be considered as lasting until such time as copyright in the material expires, or until the rights-holder agrees that the material can be reinstated.