Practical considerations for the UK in applying and communicating the new UNESCO Recommendation on protecting documentary heritage including in digital form

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Policy Brief

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1 / Executive summary

UNESCO's new Recommendation on protecting documentary heritage including in digital form is a valuable advocacy and communications tool. It provides a framework for action that is relevant to a broad range of stakeholders in the UK who are involved with the identification, preservation and promotion of documentary heritage. The Recommendation addresses both the technical and strategic issues that arise in the preservation and use of documentary heritage, providing practical, actionable recommendations.

Specifically, the Recommendation provides a useful framework for:

• Individual memory institutions in both the public and private sectors;

• Policies, initiatives and strategies at the local, regional and national level;

• UK engagement with European Union Directives and international collaboration more broadly.

In outlining Member States' responsibilities in preserving the memory of the nation, the Recommendation reflects what national experts agree to be long-standing good practice in the UK. From large memory institutions in the UK, such as The National Archives and The British Library, to smaller and local bodies, such as local authority record offices, the Recommendation reinforces the importance and appropriateness of the work that these organisations undertake. Importantly, the Recommendation provides an *external, independent and authoritative* mandate for these organisations' work in the identification, protection and promotion of documentary heritage.

The Recommendation gives necessary attention to *digital* heritage – as well as to the traditional, analogue forms of documentary heritage. It is necessary attention because digital materials are at high risk of loss from the moment they are created. As a result, the Recommendation involves a broader network of actors beyond those within traditional memory institutions.

In order to promote greater engagement with the Recommendation, there is a need to raise awareness around the definition of documentary heritage, including digital heritage, and responsibilities towards protecting and promoting it. Specifically, this includes understanding the nature and value of digital heritage and how and why it must be protected by those who create it. For example, it incorporates: data centres, software developers, publishers, corporate organisations, private individuals as well as policy-makers and decision-makers who each have their own responsibilities towards the new Recommendation.

In this way, the Recommendation has two purposes. First, it is an advocacy tool to communicate what is already happening within some of the UK's archival institutions. Second, it highlights the need for awareness raising and capacity building among organisations that do not yet perceive themselves to be custodians of memory but have a critical role to play in this arena.

In summary, the Recommendation is a useful document for the UK as it:

• Engages with the current policy landscape;

• Supports current initiatives and practices;

• Is a useful advocacy and communications tool;

• Provides a catalyst and focus for collaboration across the UK and worldwide.

This policy brief also provides best practice examples of current initiatives in this space to:

• Raise awareness;

• Build capacity;

• Develop collaborative partnerships.

2 / Introduction

UNESCO's Member States voted unanimously in favour of the introduction of a new UNESCO Recommendation on documentary heritage at the 38th Session of the UNESCO General Conference in Paris, November 2015. The UK National Commission for UNESCO (UKNC) welcomed the introduction of a formal framework for the identification, promotion and preservation of documentary heritage and, in particular, digital heritage because:

• Documentary heritage is vulnerable to rapid advances in digital technologies.

• There is no equivalent international instrument concerning the preservation of and access to documentary heritage, particularly that which is in digital form.

• The Recommendation reflects the aspirations of the Universal Declaration on Archives[1] and the Lyon Declaration[2].

• Due to the increase and challenges of digital and new media documentary heritage, responses to documentary heritage capture, care and access often need to be international in scale; therefore, international agreement on this issue is vital.

• It provides an internationally-agreed, legal means to reinforce the UNESCO Memory of the World Programme's mandate.

While fully supportive of the introduction of the Recommendation, the UKNC asked for a full and costed implementation plan to be developed by the Programme team in Paris.

1 Adopted by the International Council on Archives, 2010
http://www.ica.org/13343/universal-declaration-on-archives/universal-declaration-on-archives.html
2 Drafted by IFLA (international Federation of Library Associations) and a number of strategic partners in the library and development communities between January and May 2014.

A Recommendation is one of UNESCO's three standard setting instruments[3] to outline agreed standards that Member States are expected to work towards.

UNESCO's 195 Member States are now tasked with applying and communicating the Recommendation in their country and to report on their progress to the UNESCO Secretariat every four years.

In this policy brief, the UKNC considers where the Recommendation fits within existing structures in the UK for identifying, protecting and promoting documentary heritage. The UKNC also outlines key considerations and challenges for the UK in taking the Recommendation forward as well as offering best practice examples of effective work in this space.

In the development of this response, the UKNC worked with the UK Memory of the World Committee and a task group of national experts in digital and documentary preservation. This group of experts reviewed the Recommendation and shared a range of illustrations that exemplify issues of effectiveness, efficiency and sustainability in the protection and preservation of memory from across the UK and worldwide.

The UKNC aims for this policy brief to be of interest to diverse sectors across the UK and hopes that it will provide value to other Member States who are also tasked with taking the Recommendation forward in their own country.

The UKNC would like to thank all the experts who contributed to the development of this brief and who are listed in full in the acknowledgements page.

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3   Conventions: subject to ratification, acceptance or accession by States. They are legally binding and define rules with which Member States agree to comply. Recommendations: norms/ internationally agreed frameworks that are not subject to ratification and are not legally binding. Declarations: another means of defining norms that are not subject to ratification. Like Recommendations, they set forth universal principles to which Member States offer their broadest possible support. One notable example is the Universal Declaration of Human Rights, adopted on 10 December 1948 by the United Nations General Assembly.

3 / Relevance and Value

The UKNC considers the new UNESCO Recommendation to be relevant and of value to the UK for the reasons summarised below:

3.1. Engages with policy landscape

The Recommendation directly responds to:

- **Current legislative reviews in the UK:** The UNESCO Recommendation encourages Member States to: "Periodically review copyright codes and legal deposit regimes to ensure that they are fully effective […] for preserving and accessing documentary heritage in all its forms" [4.6 of the Recommendation]. This is in line with the UK's current plans for a review of its legal deposit, copyright and intellectual property legislation/regulations.

- **EU Member States' request for national digital preservation strategies:** The European Union's Member States' Expert Group on Digitisation and Digital Preservation (MSEG) recommends the implementation of national strategies and infrastructures for digital heritage[4]. MSEG's dedicated working group on this theme provides updates on Member States' progress to share best practice in digital preservation among the network. The UNESCO Recommendation can help to frame a UK national strategy on digital preservation.

- **Ongoing discourse on data protection, cyber security and the 'right to be forgotten/remembered':** The Recommendation's preamble identifies the difficult balance between freedom of information and human rights, the right to be forgotten and the right to be remembered by stating that: "[...] The preservation of and long-term accessibility to documentary

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4   Member States Expert group on Digitisation and Digital Preservation, https://ec.europa.eu/digital-agenda/en/member-states-expert-group-digitisation-digital-preservation.

heritage underpins fundamental freedoms of opinion, expression and information as human rights". [Preamble of the Recommendation] By highlighting the critical role that memory and access to information play in human rights and democratic participation, the Recommendation can help to contribute to this complex discussion of balancing memory and open access against issues such as cyber security and privacy.

3.2. Supportive of current initiatives and practice

The Recommendation lays out the key areas of activity necessary to collect, manage and access documentary heritage of any format and thus provides a useful 'checklist' for ensuring its preservation and use.

The Recommendation broadly aligns with **The National Archives'** strategic leadership role among the UK archives sector in encouraging and facilitating: "Consistency of best practice and preservation standards across memory institutions". [2.7 of the Recommendation]

Indeed, from universities to local authorities, charities to data centres, central government to commercial organisations, there are already established mechanisms within a broad range of institutions in the UK for the identification, protection and promotion of documentary heritage in the UK. A few notable examples are listed below:

Central government

The National Archives issues guidance such as *Guidance on Cloud Storage and Digital Preservation*[5] and *Archive Principles and Practice: an introduction to archives for non-archivists*[6].

The British Library has guidance booklets[7] on a range of issues that feature in the UNESCO Recommendation from *Building a preservation policy*[8], which

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5   http://www.nationalarchives.gov.uk/documents/archives/cloud-storage-guidance.pdf
6   http://www.nationalarchives.gov.uk/documents/information-management/archive-principles-and-practice-an-introduction-to-archives-for-non-archivists.pdf
7   http://www.bl.uk/aboutus/stratpolprog/collectioncare/publications/booklets/
8   http://www.bl.uk/aboutus/stratpolprog/collectioncare/publications/booklets/building_a_preservation_policy.pdf

is likely to be useful for smaller memory institutions or organisations where memory is not their primary function, to *cleaning books and documents*[9], which is likely to be useful for private collection holders.

The **UK Web Archive**[10], provided by The British Library in partnership with The National Library of Wales and the National Library of Scotland, contains archived copies of web domains in the UK, under the terms of the Non-Print Legal Deposit Regulations 2013[11].

Higher Education sector

The Keepers Registry[12] is a global monitor on the archiving arrangements for electronic journals developed by EDINA, the national data service centre at the University of Edinburgh, and the ISSN International Centre in Paris.

The University of York's Borthwick Institute for Archives in partnership with Hull University has launched the **Filling the Digital Preservation Gap**[13] initiative to help manage academic research data.

Membership organisation

The **Digital Preservation Coalition (DPC)**[14] is an awareness raising body providing a self-sustaining network of expert bodies engaged with digital preservation and facilitating knowledge transfer and partnership working. The Digital Preservation Team at The British Library works closely with organisations such as DPC to help promote and cascade best practice.

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9   http://www.bl.uk/aboutus/stratpolprog/collectioncare/publications/booklets/cleaning_books_and_
    documents.pdf
10 http://www.webarchive.org.uk/ukwa/
11 https://www.gov.uk/government/publications/guidance-on-the-legal-deposit-libraries-non-print-
    works-regulations-2013
12 http://thekeepers.org/registry.asp
13 http://www.york.ac.uk/borthwick/projects/archivematica/
14 http://www.dpconline.org

Devolved government

The Archives and Records Council Wales has launched a cross-sectoral **Digital Preservation Consortium**[15] to ensure long-term access to digitised and born-digital material in Wales.

Local authorities

Gloucestershire Archives has developed its **SCAT (Scat is Curation And Trust)**[16] tool to package any form of digital deposit (images, text, spreadsheet, sound or movie files) and store it in a compressed file format.

Data centres

UK Data Archive[17] is the curator of the largest collection of digital data in the social sciences and humanities in the UK.

Charities

The **Wellcome Library**'s Preservation Policy[18] provides high level guidance on the preservation and life cycle management of all materials in the Library's collections to help ensure the authenticity, reliability and long-term accessibility of that material.

These few examples help to illustrate how collecting, preserving and enabling access to digital material, which is promoted in the new UNESCO Recommendation, is already being implemented by a range of organisations in the UK.

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15   http://www.archiveswales.org.uk/projects/digital-preservation/ and http://www.nationalarchives.gov.uk/documents/archives/case-study-archives-and-records-council-wales.pdf
16   http://www.gloucestershire.gov.uk/archives/article/111042/Digital-Curation-at-Gloucestershire-Archives
17   http://www.data-archive.ac.uk/about
18   http://wellcomelibrary.org/what-we-do/library-strategy-and-policy/preservation-policy/

3.3. Useful advocacy and communications tool

The UNESCO Recommendation is an authoritative, independent advocacy tool for raising awareness among decision makers and any individual creator or owner of potentially valuable documentary heritage, about why the preservation and protection of documentary heritage matters.

Summarising the critical importance of documentary heritage to society, the Recommendation states in its preamble: "Documents produced and preserved over time and space, constitute the primary means of knowledge creation and expression, having an impact on all areas of humanity's civilisation and its further progress". It continues to state: "Documentary heritage records the unfolding of human thoughts and events, the evolution of languages, cultures, peoples and their understanding of the world".

On the preservation and promotion of access to documentary heritage the Recommendation outlines that: "The preservation of, and long-term accessibility to documentary heritage underpins fundamental freedoms of opinion, expression and information as human rights". [Preamble]

On the need for Member States as well as individual memory institutions to implement coordinated strategies to safeguard its memory, the Recommendation states: "Taking into account the rapid evolution of technology and the challenge of establishing models and processes for preserving digital heritage objects [...] States, communities and individuals [need] to take appropriate measures for the protection, preservation, accessibility and enhancement of the value of documentary heritage". [Preamble]

3.4. Identifies the wider community of responsible parties

The Recommendation is a useful reference document when reaching out to organisations where memory is not their primary focus.

The Recommendation outlines that: "Member States should [...] seek the cooperation of software and hardware developers in extracting data and content from proprietary technologies. Likewise, their memory institutions should aim for international standardisation and interchangeability of cataloguing methods and standards". [4.8 of the Recommendation]

Indeed, both public and private organisations (such as universities, publishers, banks and software producers) are all involved with the production of documentary and digital heritage and should be involved actively in its identification, promotion and protection. These groups should be encouraged to consider the sustainability of their products and develop mechanisms to extract and preserve content.

The following national and international examples of good practice demonstrate methods for promoting wider responsibility for digital heritage:

- **Heritage Lottery Fund**[19] has issued good practice guidance on using digital technology in heritage projects and now stipulates, in their Terms of Grant, that projects they support with a digital element must make digital resources sustainable.

- **Research Councils UK**[20] has a clear policy on the open access of data and making the research that it funds publicly available not just to other researchers, but also to potential users in business, charitable and public sectors, and to the general, tax-paying public.

- The **Software Preservation Network**[21], funded by the Institute of Museum and Library Services (IMLS) in the USA, is building community infrastructure to support software preservation as part of a larger effort to ensure long-term access to digital objects.

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19   https://www.hlf.org.uk/digital-technology-heritage-projects
20   http://www.rcuk.ac.uk/RCUK-prod/assets/documents/documents/RCUKOpenAccessPolicy.pdf
21   http://www.softwarepreservationnetwork.org/

- The National Institute of Standards and Technology's (NIST) **National Software Reference Library**[22] (supported by the U.S. Department of Homeland Security), though designed for purposes related to law enforcement and the investigation of crimes using computers, has a comprehensive collection of commercial software obtained through collaboration with suppliers.

- **The Internet Archive**[23] has built a large collection of software and provides public access. This raises awareness among a wide, non-specialist audience.

3.5. Provides a catalyst and a focus for collaboration across the UK and worldwide

The Recommendation provides an independent, external and prestigious framework around which disparate groups can coalesce for a sustained period. It is a substantial document with a multiplicity of implications and relevance. It implies a wide range of responsible stakeholders and clearly identifies the key areas of activity necessary to preserve documentary heritage of all forms. The Recommendation highlights how preservation of documentary heritage should not be viewed as a cost but as maintenance of a vital asset to enable society to refer to its past and simultaneously build its future.

22   http://www.nsrl.nist.gov/
23   https://archive.org/index.php

4 / Key Considerations

The Recommendation is relevant, timely and of value to the UK. The following section provides areas for consideration in taking it forward:

4.1. Raising awareness

The Recommendation's broad definition of documentary heritage to include heritage that is in digital form is welcome as there are widely held concerns that the production of digital heritage is outpacing capture and preservation efforts. Unlike much analogue documentary heritage, digital collections need to be identified and curated from the *point of creation* to prevent them from being lost, presenting a challenge to both traditional theory and practice.

The Recommendation states: "Public and private institutions should ensure professional care for the documents which they themselves create". [1.3 of the Recommendation] The Recommendation reaches out to organisations that may not consider themselves to be memory institutions or recognise the relevance of the Recommendation and their own responsibilities towards it. There is a need, therefore, to raise awareness of the Recommendation and its relevance to a broad network of actors beyond the UK's traditional memory institutions.

Potential next steps to raise awareness

- **Archive Service Accreditation** can help raise awareness of the importance of digital preservation through an emphasis on the need to integrate provisions for analogue and digital collections. Archive Service Accreditation is implemented and overseen by the UK Accreditation Partnership (including The National Archives) and provides a management standard for the archives sector that is intended to encourage and support development. Other **accreditation standards** include ISO 16363[24] and the **Nestor**

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24   http://www.iso.org/iso/catalogue_detail.htm?csnumber=56510

digital repository seal of approval[25]. These standards focus explicitly on digital content and have created awareness of good practice that has been inherited from traditional memory institutions and shared among a wider set of organisations.

- Existing platforms such as the **UNESCO Memory of the World Register** can raise awareness of the broader definitions of documentary heritage and responsibilities toward it. For example, inscribing software or other digital collections, such as the Internet Archive, onto the Register will help to communicate that this, just like Magna Carta and the Death Warrant of King Charles I, is part of humanity's shared heritage and collective memory.

- The **Digital Preservation Coalition** (DPC) raises awareness of the importance of the preservation of digital material and the attendant strategic, cultural and technological issues. The DPC is a not-for-profit membership organisation that supports its members through knowledge exchange, capacity building, assurance, advocacy and partnership. The DPC has seen a large growth in its membership in recent years, especially from non-archival organisations.

- The practical relevance of the need for long-term accessibility of information is currently being highlighted by child sexual abuse investigations in the UK, such as the Goddard Enquiry and Operation Yewtree. **Articulating the links between digital preservation and long-term access to information and data** is likely to resonate with non-traditional memory institutions and organisations that are involved with information security, knowledge management.

4.2. Building capacity

The Recommendation rightly identifies the need to ensure that digital heritage is comprehensively incorporated into measures to protect and promote access to documentary heritage. In the UK, as in the rest of the world, it is a challenge to ensure that the creation of digital heritage does not outpace the capacity of institutions to identify, collect and manage such material.

25 Network of Expertise in Long-Term Storage of Digital Resources [Nestor digital repository] http://datasealofapproval.org/en/information/about/

While memory institutions in the UK are often aware of their responsibilities towards digital preservation, **many lack the resources** (money, skills, time and networks) to undertake digital preservation.

Outside of the traditional 'memory institutions' sector – for example, among technology companies – there are low levels of awareness of the need to incorporate digital preservation considerations into business activities. Among those that are involved with digitisation, there is often a **misunderstanding of what the preservation and promotion of digital heritage entails**. For example, the failure to recognise the critical distinction between digital surrogates of physical collections and born-digital collections is a concern.

These are just some of the challenges around the protection and promotion of digital heritage in the UK and they highlight the need to build capacity in this space in order to meet the obligations outlined in the Recommendation.

Possible next steps to build capacity

- The **London Charter**[26] and the Netherlands Commission for UNESCO's **PERSIST Project**[27] for digital sustainability both provide an information sharing platform to develop methodologies and share best practice to promote access to digital collection and ensure the protection and preservation of the original item and the digitised copy, where appropriate.

- The **Digital Preservation Coalition**[28] is an effective online platform for networking, capacity building, skills training and knowledge transfer on the preservation of digital material. It works to ensure that skills and knowledge are shared not just with those traditionally concerned with documentary heritage (archivists, librarians and records managers) but also with IT specialists that need to work with them.

26 http://www.londoncharter.org/introduction.html
27 http://unesco.nl/digital-sustainability
28 http://www.dpconline.org/

- Professional bodies such as the **Archives and Records Association**[29] run training in digital preservation skills for employees at memory institutions. Continued support is needed for collaborative working, particularly for smaller memory institutions.

- Digital preservation now features on the syllabus of **postgraduate archives and records management courses in the UK**, and there are also distinct **digital curation postgraduate courses** available. One opportunity might be to embed some coverage of these issues within undergraduate Information Technology courses. There could also be opportunities to develop digital preservation within continuing professional development frameworks, such as offered by BCS – The Chartered Institute for Information Technology.

4.3. Developing collaborative partnerships

Achieving effective digital preservation requires a range of collaborative partnerships between traditional memory institutions as well as universities, software manufacturers, internal information technology departments and user groups. Such collaboration requires a vast increase in the understanding of the issues between such stakeholders e.g. understanding the importance of documentary heritage, recognising the need for technical and financial sustainability of digital assets, developing a common language to describe issues and solutions and creating fora in which different parties can meet and collaborate.

The Recommendation provides a catalyst and a focus for collaboration across the UK and worldwide. However, while the will for this collaboration is often there, it requires funding. Indeed, much of the research (both national and international) into developing digital preservation tools and methodologies has been hampered by a reliance on short-term project funding. This has resulted in a 'stop-start' approach to research and development. Information technology is developing at a rapid speed and with increasing complexity. It demands equally rapid research to ensure the preservation of both the software and its products.

29   http://www.archives.org.uk/training.html

Possible next steps for developing collaborative partnerships

- Development of the required skills in digital preservation and access e.g. the new apprenticeship levy which starts in 2017 will open up opportunities for Level 6 and 7 qualifications to be gained.

- The creation of more interdisciplinary teams (such as that at The British Library) in existing organisations such as archives, businesses, government and universities to bring together the disciplines of archives, IT, research skills and audience analysis.

5 / Glossary

Born-Digital: Digital materials which are not intended to have an analogue equivalent, either as the originating source or as a result of conversion to analogue form.

Digital Archiving: This term is used very differently within sectors. The library and archiving communities often use it interchangeably with digital preservation. Computing professionals tend to use digital archiving to mean the process of backup and ongoing maintenance as opposed to strategies for long-term digital preservation.

Digital Preservation: Digital preservation refers to all actions required to maintain access to digital materials beyond the limits of media failure or technological and organisational change. Those materials may be records created during the day-to-day business of an organisation; "born-digital" materials created for a specific purpose (e.g. teaching resources); or the products of digitisation projects.

Digital heritage: UNESCO defines digital heritage as "cultural, educational, scientific and administrative resources, as well as technical, legal, medical and other kinds of information created digitally, or converted into digital form from existing analogue resources".[30]

Digitisation: The process of creating digital files by scanning or otherwise converting analogue materials. The resulting digital copy, or digital surrogate, would then be classed as digital material and subject to the same broad challenges involved in preserving access to it as "born-digital" materials.

Digital surrogate: Copies of the original.

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30 http://portal.unesco.org/en/ev.php-URL_ID=17721%26URL_DO=DO_PRINTPAGE%26URL_SECTION=201.html

Documentary heritage: UNESCO defines documentary heritage as "that which records something with a deliberate intellectual purpose".[31] Documentary heritage covers a range of digital and analogue formats such as written, audio-visual, printed and databases. A document is considered to have two components: the informational content and the carrier on which it is recorded. Both elements can have a large variety of forms and are equally important parts of memory.

Memory institution: Organisation maintaining a *repository of public knowledge*, a generic term used about institutions such as libraries, archives and museums.

Non-traditional memory institutions: Organisations that hold material that supports memory but are not traditional memory institutions e.g. those involved with information security or knowledge management.

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31   http://unesdoc.unesco.org/images/0012/001256/125637e.pdf

6 / Acknowledgements

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The views contained in this policy brief are those of the UK National Commission for UNESCO and do not necessarily reflect those of the UK government or the individuals or organisations who have contributed to this report.