

# Ethical Considerations: Research Involving Cultural Heritage

## 1. Introduction

This document aims to provide guidance to staff and students on conducting responsible, respectful, and sustainable research involving cultural heritage. Researchers must ensure that their work aligns with the highest standards of research integrity, respects cultural values, and avoids exploitation or harm.

## 2. Defining Cultural Heritage

Following UNESCO's definition, *cultural heritage* encompasses:

*“The legacy of physical artefacts and intangible attributes of a group or society that are inherited from past generations, maintained in the present, and bestowed for the benefit of future generations.”*

### 2.1 Tangible Cultural Heritage

- **Movable items:** Artefacts, archaeological materials, artworks, manuscripts, rare books.
- **Immovable heritage:** Archaeological sites, historic structures, cultural landscapes (rural and urban).
- **Human remains:** Material more than 100 years old.

Tangible cultural heritage is finite, irreplaceable, and central to understanding human history. Researchers share responsibility for its stewardship and must ensure that any research activity is justified, proportionate, and preserves information for future generations.

### 2.2 Intangible Cultural Heritage

Intangible heritage includes practices, expressions, knowledge, and skills that communities recognise as part of their cultural identity. Ethical principles relating to community involvement, consent, and respect for cultural norms apply equally to research involving intangible heritage.

## 3. Ethical Review Requirements

- No research or data collection may commence without ethical approval. Retrospective approval is not permitted.
- When external bodies (e.g., governmental departments, museums, UNESCO, Historic England/Scotland, or equivalent overseas authorities) have provided permission or oversight, these approvals must be included in the University ethics submission.
- If ethical dilemmas emerge during any stage of research, researchers must seek advice from the relevant their Ethics Subject Panel.

## 4. General Principles for Research Affecting Cultural Heritage

Researchers working with cultural heritage must act with informed respect for the physical, historical, cultural, social, scientific, technical, religious, and aesthetic significance of the resources they engage with. Cultural heritage materials, whether sites, artefacts, or contextual records, are often finite, irreplaceable, and non-renewable; therefore, they must be safeguarded and treated with the highest level of care.

Researchers should strive to:

- **Avoid unnecessary loss or damage** to artefacts, archaeological deposits, and contextual information.
- **Ensure that any unavoidable loss or physical alteration**, such as from excavation or scientific testing, is justified, proportionate to the potential gain in knowledge and/or understanding, and clearly documented.
- **Promote benefit-sharing**, ensuring that communities, stakeholders, and future researchers can access knowledge gained.

It is recognised that certain invasive investigations may be societally beneficial in terms of generating enhanced awareness of the cultural significance of heritage assets, if it is appropriately and responsibly conducted and reported. It is also accepted that in some cases, such as archival work, selective preservation of material may be in the best interests of cultural heritage, and that occasionally the non-retention of information may be preferable for overriding ethical reasons such as confidentiality or avoidance of harm.

## 5. Ethical Principles for Safeguarding Tangible Cultural Heritage

Research using cultural objects involves navigating complex ethical, legal, and social responsibilities, particularly when dealing with items from indigenous communities, sacred objects, or those acquired during colonial periods. As records of human history, artefacts and their contexts of recovery must, during the course or research, be ethically and sustainably looked after to retain their cultural significance.

### 5.1 Minimising Harm and Environmental Impact

Researchers must:

- Justify the necessity of the intervention when engaging in potentially intrusive practices, such as excavations, surface collection, or destructive analysis.
- Demonstrate how they intend to mitigate the impact of their activities and limit damage or deterioration to the sites of recovery, artefacts and minimise the environmental impact for their actions, through responsible sampling and minimally destructive options.
- Provide plans for site conservation, object preservation, archiving and publication.
- Consider the implications of proposed research with artefacts that may be ethically or legally sensitive, including but not limited to artefacts of uncertain provenance or ownership, artefacts of significance to indigenous groups etc.
- Avoid harm to the communities that artefacts represent. This includes avoiding the commodification, exoticification, or sensationalising of cultural objects in, academic publications or public media.

### 5.2 Responsible Representation and Data Management

Research results should be shared in an accessible way, avoiding stereotypes and inaccurate interpretations. Data management must be secure, ensuring that digital representations of objects are not misused.

### 5.3 Object Interpretation and Power Dynamics

Researchers must recognise that how they describe and interpret objects can shape public perception, and they should avoid imposing Western-centric views or biases.

### 5.4 Avoiding Commercial Conflicts of Interest

Researchers must not:

- accept gifts, funding, sponsorship, or other benefits from dealers or collectors of cultural objects for the research projects.
- engage in, or allow their names to be associated with, any activity that has negative impacts on artefacts and is carried out for commercial profit derived directly from or by exploiting the artefacts.

## 6. Provenance and Responsible Engagement with Artefacts

Researchers should recognise that legitimate private ownership of heritage assets can conflict with public interest in access to artefacts and contextual information about them. Because many culturally significant objects also carry high commercial value, they may be targeted for illicit trade, leading to damage or loss of historic and archaeological sites, depletion of museum and archive collections, and the erosion of knowledge and contextual information.

### 6.1 Ensuring Ethical Provenance

Researchers must assess the acquisition history of cultural objects and must not undertake primary research with looted, stolen or illegally excavated, exported or removed artefacts.

Engagement with cultural items for the purpose of research must take place in accordance with the:

- guidelines published by the Department for Culture, Media and Sport [Combating Illicit Trade: Due diligence guidelines for museums, libraries and archives on collecting and borrowing cultural material](#) (October 2005), or via an institution (e.g. museum, library, archive or heritage body) that is subject to these guidelines.
- provisions of the [UNESCO 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property](#), which prohibits research on objects illegally exported or excavated from their country of origin after 1970.

If doubts arise about an item's ethical or legal status, it must be excluded from research. Any suspicion of criminal activity must be reported to the relevant Dean or Director and to the Police.

### 6.2 Indigenous and Community-Owned Heritage

Where archaeological sites, objects or materials are related to cultural heritage of indigenous communities:

- Researchers must be familiar with the principles contained in the [World Archaeological Congress's First Code of Ethics](#) (1990).
- No materials may be removed or interfered with without explicit consent.
- Collaboration and consultation with communities is essential. Research should involve, consult, and respect the views of source communities regarding how their cultural heritage is handled, studied, and displayed. This includes acknowledging the "lived history" of ethnographic objects rather than treating them merely as static specimens.

### 6.3 International Transfers

If artefacts or data must be brought into the UK, researchers must secure any necessary export licences or permissions from the country of origin.

## 7. Archaeological Prospection and Excavation

All excavation-based research must be conducted in accordance with the [Chartered Institute for Archaeologists \(CIfA\), Codes of Conduct and Standards](#) (unless strong local justification requires deviation). Artefacts removed from their original context must be carefully conserved, transported, and stored to ensure long-term preservation.

In the case of research involving objects of historic or archaeological interest found, or alleged to have been found, in England, Wales and Northern Ireland after 24 September 1997, care must be taken to establish that they were found in the course of activities carried out in accordance with the principles of the:

- [Treasure Act 1996 Code of Practice](#) (England and Wales) (Revised, 2002)

- [Code of Conduct of the National Council for Metal Detecting \(NCMD\)](#)

Items believed to meet the definition of “treasure” must be reported to the local coroner and recorded with the [Portable Antiquities Scheme](#) if appropriate.

Similarly, the study of cultural heritage objects in administrative areas outside England, Wales and Northern Ireland, including Scotland, must comply with relevant local legislation.

## 8. Underwater Cultural Heritage

Research involving wrecks or underwater artefacts must comply with:

- The [Merchant Shipping Act 1995](#), requiring that any wreck material, regardless of size or significance, recovered within UK territorial waters (up to the 12 nautical mile limit), or outside the UK and brought within UK territorial waters, must by law be reported to the [Receiver of Wreck](#).
- The [UNESCO 2001 Convention on the Protection of Underwater Cultural Heritage](#), including its Annexed Rules.

Collaborators must uphold these principles regardless of jurisdiction.

## 9. Research Involving Human Remains Over 100 Years Old

Human remains older than 100 years are not governed by the Human Tissue Act 2004 and do not require a licence from the Human Tissue Authority (HTA), but excavation licences/permissions may still be required.

The study of human remains more than 100 years old must follow the ethical principles of:

- The [British Association for Biological Anthropology and Osteoarchaeology \(BABA\) Codes of Ethics and Practice](#).
- The World Archaeological Congress’s [Vermillion Accord on Human Remains](#).
- Guidance from [Historic England and the Advisory Panel on the Archaeology of Burials in England \(APABE\)](#).

Human remains must always be treated with dignity, care and respect at all stages of research including excavation, data collection and analysis, storage and data archiving. Where remains are connected to identifiable descendant or affiliated communities, those communities should be notified of research findings before publication.

Remains stored within the University must be kept in secure, dedicated facilities that meet professional curation standards set out in the [Code of Practice of the British Association for Biological Anthropology and Osteoarchaeology](#) (BABA) and the Department for Culture, Media and Sport’s [Guidance for the Care of Human Remains in Museums](#) (2005).

## 10. Ethical Principles for Safeguarding Intangible Cultural Heritage

Derived from the 2003 UNESCO [Convention for the Safeguarding of the Intangible Cultural Heritage](#), the [Operational Directives](#) for the Implementation of the Convention and national legislative frameworks, the following principles guide ethical work with communities:

- Communities groups and, where applicable, individuals hold **primary responsibility** for safeguarding their intangible heritage.
- The **right** of communities, groups and, where applicable, individuals to continue the practices, representations, expressions, knowledge and skills necessary to ensure the viability of the intangible cultural heritage should be recognised and respected.
- **Access** to the instruments, objects, artefacts, cultural and natural spaces and places of memory whose existence is necessary for expressing the intangible cultural heritage should be ensured,
- **Free\*, prior, sustained, and informed consent** must underpin all engagement.
- **Mutual respect**, transparent collaboration, dialogue, negotiation and consultation are essential.
- Intangible cultural heritage should not be subject to external judgements of **value or worth**.
- Communities should **benefit** morally and materially from research outcomes.
- **Cultural diversity** and sensitivity to cultural norms, including consideration of **gender equality, youth** involvement and **respect for ethnic identities** should be included in the design and implementation of safeguarding measures.
- Researchers and communities should work together to assess risks such as commodification, misrepresentation, or decontextualisation.

(\*Free means that there is no coercion, conditions, bribery or reward of the communities and that the process is self-directed by those affected by the project. However, in certain circumstances, for example, if a ceremony is involved, a community may expect a contribution from all participants to the cost of preparation. If a researcher is in attendance, it is only fair that they also contribute. Contributing to ceremony costs is a tangible way for researchers to demonstrate reciprocity and respect, build trust, and fulfill obligations when working with Indigenous knowledge and communities.)

## 11. Access, Permission and Copyright

Access to cultural objects and archives, along with the permissions required to use them for research involves navigating a combination of physical access rights, open-access policies, data protection regulations (such as GDPR), copyright law, and specific institutional rules designed to preserve items:

- **Open Access (Digital & Public Domain):** Many museums and archives (e.g., RAMM, British Museum) provide high-resolution images of public domain items, allowing for reuse in research without specific permission, often under Creative Commons licenses (e.g., CC0 or CC BY).
- **Physical Access & Request Procedures:** Researchers usually need to contact specific curators or use online systems to request to see, photograph, or examine physical objects. This is often done on a case-by-case basis.
- **Sensitive/Sacred Objects:** Access to sensitive, secret, or sacred cultural items is highly restricted. Such items are often not available for general study and require consultation with relevant communities and specialised authorisation.
- **Sampling and Scientific Analysis:** Research involving destructive testing (sampling) of objects or human remains requires rigorous approval, focusing on the justification of the study and the preservation of the object. Results must often be shared with the holding institution and placed in the public domain.
- **Copyright:** Institutions may not own the copyright to all materials in their collections, even if they hold the physical item. Researchers may need to identify and seek permission from the rights owner (e.g., creators or estates) for copyrighted works.

See also Appendix A: Example Indigenous and Local Communities Research Consent Form and Appendix B: Access, Permission and Copyright Form.

## 12. Further information

### Internal Sources

- [Code of Good Research Practice](#)
- Ethics Guidance ([www.wlv.ac.uk/ethics](http://www.wlv.ac.uk/ethics))
- [Considering the environmental impact of research](#)
- [Considering the impact of research on society](#)
- [Policy for Use of Human Tissue for Research](#)

### External Sources

- [British Association for Biological Anthropology and Osteoarchaeology \(BABAO\)](#)
- [Chartered Institute for Archaeologists \(CIfA\)](#)
- [Department for Culture, Media and Sport: Combating Illicit Trade: Due diligence guidelines for museums, libraries and archives on collecting and borrowing cultural material](#)
- [Department for Culture, Media and Sport's Guidance for the Care of Human Remains in Museums](#)
- [Montreal Statement on Research Integrity in Cross-Boundary Research Collaborations](#)
- [National Council for Metal Detecting \(NCMD\) - Code of Conduct](#)
- [Treasure Act 1996 Code of Practice](#)
- [UNESCO Convention on the Protection of the Underwater Cultural Heritage](#)
- [United Nations Declaration on the Rights of Indigenous Peoples](#)
- [Vermillion Accord on Human Remains 1989](#)
- [Wellcome Trust – Research involving people in low-and-middle-income countries](#)
- [World Archaeological Congress First Code of Ethics](#)
- [UNESCO, 2017. \*Tangible Cultural Heritage\*.](#)
- [UNESCO, 1970. \*Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property\*](#)

# Appendix A: Example Indigenous and Local Communities Research Consent Form

The form below helps researchers and community organisations document informed participation for studies .



## Informed Consent Form

**<INSTRUCTIONS TO RESEARCHER: Delete and/or modify any cells so as to make them appropriate to your project>**

**Project Title:**

**Researcher(s) Names:**

**Faculty/Department:**

1. I understand what this project is about	Yes <input type="checkbox"/>	No <input type="checkbox"/>
2. I voluntarily agree to my participation in this study	Yes <input type="checkbox"/>	No <input type="checkbox"/>
3. I understand that I can withdraw from the project <by DATE / at any time>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4. I understand what will happen to me during the research project as explained to me	Yes <input type="checkbox"/>	No <input type="checkbox"/>
5. I agree that the researcher(s) can interview me for the research including in a group of people (or 'focus group')	Yes <input type="checkbox"/>	No <input type="checkbox"/>
6. I consent to this interview/focus group/workshop being audio taped and/or filmed <by DATE / at any time>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
7. I agree to photographs being taken of this interview/focus group/workshop	Yes <input type="checkbox"/>	No <input type="checkbox"/>
8. I understand that <I will be/will not be> paid for my participation as explained to me	Yes <input type="checkbox"/>	No <input type="checkbox"/>
9. I understand the potential risks and possible benefits of participating in this research as explained to me	Yes <input type="checkbox"/>	No <input type="checkbox"/>
10. I understand that the results of this research may be published in a public or other forum	Yes <input type="checkbox"/>	No <input type="checkbox"/>
11. I agree that my name and other personal information may be mentioned in the <project report/publication> that comes out of this research.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
12. I understand that all information gathered in this research that is confidential will be kept secure for <state length of time>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
13. If the researcher(s) keep(s) a record of what I said with my name on it, or which could be used to identify me, I:	<input type="checkbox"/> give permission for my information to be shared	

	<input type="checkbox"/> don't give permission for my information to be shared	
14. I want the researcher(s) to give me a copy of the <project report/publication> that is produced as a result of this research.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
15. I understand that I will retain any Intellectual Property from my personal interview recordings.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
16. I understand that the researcher(s) will SHARE copyright in the <project report/publication> produced as a result of this research with <insert organisation, community, individual(s)>.  This means that the researcher(s) cannot reproduce the information that is in the <project report/publication> in other places or for other purposes without first getting permission from <insert organisation, community, individual(s)>.	Yes <input type="checkbox"/>	No <input type="checkbox"/>

**Signatures**

Participant to complete:

- I am 18 years of age or older.
- I have read the Participant Information Sheet and Informed Consent Form (or someone has read it to me in language I understand) and I agree with it.

**Name:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Date:** / /

**Email (to send a copy of this form):** \_\_\_\_\_

Researcher to complete:

- I have described the nature of the research to the Participant and I believe that they understood and agreed to it.

**Name:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Date:** / /

# Appendix B: Access, Permission and Copyright Form – Cultural Heritage



## Access, Permission and Copyright Form - Cultural Heritage

The person responsible for the archive is asked to allow the Principal Applicant access to the archive and to give permission for any digital materials to be made available in the research degree thesis or research publication (see PART A). If the materials are subject to copyright, a copyright agreement must also be signed (see PART B). Once signed, this form should be returned to the Principal Applicant.

### PART A: ACCESS AND PERMISSION

The University of Wolverhampton recognises the rights and interests in intangible cultural heritage, including traditional knowledge and other creative expressions embodied in archive materials. Therefore, before the digital copies are made available, we ask for the permission of those who own or are responsible for the archive.

- I agree to allow the Principal Applicant **[NAME]** to have access to the archive.
- I give permission for copies of digital materials produced by the project **[title]** to be made available in the research output.

Signed ..... Date .....

Name [please print] .....

Institution if applicable [please print] .....

### PART B: COPYRIGHT

#### Does copyright apply to the original materials in the country in which they reside?

If the original material is in copyright in the country in which it resides, the principal applicant should ask the owner of the archive (**the Licensor**) to grant them permission (**a Licence**) to digitise the material and make the digital files available under a Creative Commons Attribution-Non Commercial (CC BY-NC) licence. Under this licence, the owner of the original material retains the copyright in the digital material, while granting the principle applicant permission to make it available for non-commercial purposes. This licence also ensures that the owner of the original material is acknowledged as the copyright owner. Further information can be found here: <http://creativecommons.org/licenses/by-nc/4.0/>

Is any of the digitised material subject to copyright?                      YES                         NO     
*If YES, please complete and sign page 2 of this form*

#### For and on behalf of the owner of the Copyright Works:

This is to warrant that the Licensor (Institution / Individual) is the owner (or authorised representative of the owner) of all the necessary rights in the material listed in Schedule A (**the Copyright Works**) to be licensed, and the Licensor is fully entitled to grant the principal applicant permission to use the Copyright Works as set out below. The Licensor further warrants that the researcher's use of the Copyright Work(s) in this way, shall in no way infringe the rights of any other party.

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