

# Terms of Deposit for Archives

## 1. Scope

This statement explains the Terms of Deposit for Archives collections at Oxfordshire History Centre. The treatment of Local Studies materials is the subject of the separate statement, ***Terms of Deposit or Donation of Local Studies Materials***.

## 2. Definitions

Oxfordshire History Centre (OHC) (or whatever name it may be known by in the future) shall be held to mean the professional archives and local studies service for the county of Oxfordshire. OHC has responsibility for the records of local government and the Diocese of Oxford, and the right to hold private archives under the Local Government Act (1962). OHC has a responsibility to maintain a comprehensive collection of published and printed local studies material, relating to the county of Oxfordshire as formulated in 1974. Oxfordshire County Council shall be held to mean the Council and any successor authority.

## 3. General

Oxfordshire History Centre has a duty to hold diocesan, archdeaconry and parish records under the 1978 Parochial Records and Registers Measure and subsequent amendments. It has a duty to hold Public Records under the Public Records Act (1958), and to hold records of local government under the Local Government (Records) Act (1962) and the Local Government Act (1972). It has the right to hold manorial records under the Law of Property Act (1922) and its amendment of 1924, and to hold tithe documents under the Tithe Act (1936). Nothing in these terms of deposit shall override the detailed stipulations of these acts. These terms of deposit shall be held binding unless any special terms or conditions are agreed overleaf.

## 4. Forms of Transfer

**Archival collections** may be transferred to OHC in one of four ways:

- a) **Gift or Purchase [G]:** an outright transfer of the records to the ownership of OHC.
- b) **Deposit [D]:** an indefinite loan of the records to OHC, ownership remaining with the depositor, who may withdraw them by agreement with the service.
- c) **Internal Transfer [TT or TW]:** Oxfordshire County Council records transferred either:
  - 1) as the result of a formal appraisal process whereby responsibility and control pass from the creating department to OHC (**Internal Transfer: control transferred – T/T**), or
  - 2) as current or semi-current records for reasons of public access, safe-keeping or otherwise, whereby control and responsibility are not transferred (**Internal Transfer: control withheld – T/W**).

In the event of deposited material being withdrawn permanently within 10 years of the date of deposit, the depositor shall be liable to defray the costs of any cataloguing or conservation work carried out on the documents. After 10 but before 25 years, the depositor shall be liable to 50% of such costs.

OHC has the right to dispose of any material transferred as a gift or purchase or internal transfer with control transferred. In the case of all other forms of transfer, OHC may refuse to accept the material, or may transfer it back to the owner but may not otherwise dispose of it without the owner's consent, unless all reasonable attempts to contact the owner fail. It is the responsibility of the owner to keep OHC informed of any change of address or transfer of ownership. If the depositor becomes untraceable, ownership and copyright (if vested in the depositor) of the documents will pass to OHC.

OHC accepts in good faith that the depositor of records is the owner of them, or has the right to transfer them to OHC, and responsibility for transfer remains with the depositor.

Without a signed accession receipt form, or completed Data Protection Questionnaire where necessary, material may not be accepted or may be returned to the depositor.

Electronic material without a completed Digital Deposit Form may be returned to the depositor. OHC is only able to accept electronic files in specific formats and operating systems (see OHC Digital Receipt Form for details) and reserves the right to return electronic files in any other format to the depositor.

## 5. Access

Access will normally be granted to members of the public to materials held in OHC, subject to the requirements of the Data Protection Act and other legal stipulations. Uncatalogued materials will not normally be made accessible to the public. Specific closed periods may be negotiated for particular records, but no permanently closed material will be accepted. The depositor or owner will be able to access their own records during public opening hours. Direct access to materials in the searchroom will be free of charge. All material deposited may be used in talks and exhibitions by OHC staff.

## 6. Data Protection

OHC will not accept records still required for current administrative use. Depositor's or donor's contact details are only kept for purposes of identifying ownership and actions in regard to the material held. They will not be divulged to

a third party without the giver's permission. Details of the owner/depositor's name and address are kept on file and in an electronic database, access to which is restricted to OHC staff.

**7. Finding aids**

Archival records transferred to OHC will be listed or catalogued by professionally qualified archivists, according to current office practice, but no fixed date can normally be given for the completion of such lists or catalogues. Priorities will be set at the discretion of the OHC Management Team. A copy of any list or catalogue of Archival records will be supplied to the depositor/owner of the records, but copyright in such list or catalogue remains with OHC. No list or catalogue on public access will include personal details of the owner/depositor of the records unless requested.

**8. Preservation**

Records deposited by individuals or organisations will be kept in identical conditions to the records of Oxfordshire County Council itself, which shall approximate as nearly as possible to PD5454 (Guide for the storage and exhibition of archival materials). OHC shall have the right to microfilm or digitise documents if appropriate, mark items with a catalogue reference, undertake necessary conservation work on the documents by appropriately qualified conservation staff, and withhold public access to material which, in the opinion of professional conservation staff, are too fragile for use.

OHC shall have the right to migrate, re-arrange and, if appropriate, provide online access to electronic records.

**9. Copies and publications**

Copies of archival documents (including photographic images and sound recordings) may be provided to the public in accordance with the terms of the Copyright, Designs and Patents Act (1988) (and any subsequent amendments) at the discretion of the professional staff, for private study with a non-commercial purpose. Deposit of archival records with OHC is deemed to imply permission to reproduce deposited material, subject to copyright provisions.

Specified safe limits for the copying of copyright material are on display in the OHC searchroom and researchers will be expected to comply with these at all times unless they have been granted special permission from the copyright holder.

**Signature of this form constitutes acceptance of the terms of deposit.**

Signed.....

Print Name.....

**A large print version of this text is available on request**