

Unit AK1 Maintain compliance with archaeological requirements

Elements

AK1.1 Identify situations requiring formal action

AK1.2 Process applications for compliance with statutory and policy requirements

AK1.3 Control project against agreed quality standards

AK1.4 Enforce compliance with archaeological requirements

Unit Commentary

This unit is for archaeologists who have responsibility to ensure that works affecting archaeological sites are undertaken in compliance with relevant legislation and regulations. They are likely to be employed by national government heritage agencies or local government bodies. This unit covers assessing proposals and, where necessary, works already carried out; deciding whether or not formal consent is required and taking appropriate action processing applications. It also deals with the negotiation of amendments to agreements and recommendations for enforcement action in cases of non-compliance.

AK1 Maintain compliance with archaeological requirements

AK1.1 Identify situations requiring formal action

Performance Required

This will involve:

- a) monitoring **sources of information** for indications of potentially **relevant situations**
- b) making arrangements to investigate potentially **relevant situations** to identify whether they are within scope of legislative requirements
- c) identifying and notifying those responsible for relevant situations of **legislative requirements**
- d) where legislative requirements are not met, **follow up action** is instigated to ensure compliance
- e) recording information on relevant situations

Occupational Context

1 Sources of information:

- reports from authority officers
- local press and other media
- public complaints
- local authority records
- other legislative/ statutory authorities

2 Relevant situations:

- neglect and deterioration
- use of structures and sites
- alteration, repair and maintenance of structures and sites
- adjacent works or activities affecting the site

3 Types of legislative requirement:

- formal application
- agreement to a course of action

4 Follow up action:

- site visit
- caution
- impose condition
- serve notice or injunction
- prosecute

Knowledge Requirements

You need to know and understand how to:

- Investigate situations required to conform with legislative requirements

You need to know about:

Legislative Procedure

- Legislative requirements for potentially relevant situations
- Types of action to ensure compliance

Sources of information

- Types of records
- Record information
- Monitoring information resources

AK1 Maintain compliance with archaeological requirements

AK1.1 Identify situations requiring formal action

Required Skills

You should demonstrate:

- Communicating/ delivering formal notification perhaps without the authoritative support immediately available

Evidence Required

You should provide evidence that you can identify situations requiring formal action

The candidate should be questioned, based upon the documentation provided, to explore

- the identification, location and strategic approach to potentially relevant situations.

Evidence Rules

The candidate should have been involved in at least 2 contrasting sites

AK1 Maintain compliance with archaeological requirements

AK1.2 Process applications for compliance with statutory and policy requirements

Performance Required

This will involve:

- a) Promptly acknowledging **applications** received and categorising accurately against **statutory and policy requirements**
- b) Where **information** is insufficient for assessment purposes advising applicants of additional information needs
- c) Assessing applications against **relevant criteria** and selecting those which conform in most main respects for further consideration
- d) Recommending applications which clearly fail to meet criteria for rejection and communicating reasons to applicants promptly
- e) Subjecting potentially successful applications to further detailed evaluation and identifying and communicating any modifications required to meet policy and legislative requirements to applicants
- f) Where applications raise **exceptional issues**, initiating appropriate consultation and investigations to inform the optimum course of action
- g) Summarising accurately and making available outcome and conclusions from consultations and investigations to decision makers
- h) Final decisions are justified clearly, appropriate conditions are specified and reflected accurately in an appropriate format which is communicated to applicants
- i) Decision making processes are completed within the required period and in accordance with appropriate legislation and organisational procedures

Occupational Context

- 1 Applications relevant to the development and use of:**
 - land
 - structures
 - buildings
- 2 Statutory and policy requirements:**
 - organisational
 - local
 - national
 - international
- 3 Information:**
 - applicant details/requirements
 - site details (physical, technical, legal)
 - existing / planned use of site (access, occupancy, activities)
 - strategic and financial information
 - contextual information
- 4 Information from:**
 - property developers/ contractors
 - owners / occupiers
 - consultants/ researchers
- 5 Relevant Criteria**
 - technical/ strategic
 - legal/ regulatory/ financial
 - in terms of policy and approach
- 6 Exceptional issues (e.g.)**
 - emergencies/ cultural sensitivity/ legal conflict
 - exceptional to the archaeological context
 - exceptional to the processes and procedures
 - exceptional to resources, capacities, constraints, risk and potential

AK1 Maintain compliance with archaeological requirements

AK1.2 Process applications for compliance with statutory and policy requirements

Knowledge Requirements

You need to know about:

Proforma of applications

- Variety and contexts
- Information required
- Legal binding
- Vital/ Superfluous information
- Time taken to complete
- Types of decision criteria
- Types of conditions

Statutory and policy requirements

- According to organisations, professional institutions, local authorities and Best Practice of the discipline
- Types of exceptional circumstance warranting consultation and investigation
- Contingent strategies and recognised options modifications

Required Skills

You should demonstrate:

- Negotiation and communication skills which deal well with sensitive and exceptional situations

Evidence Required

You should provide evidence that you can process applications for compliance with statutory and policy requirements

The candidate should be questioned, based upon the documentation provided, to explore

- their ability to consult, investigate and report on exceptional circumstances.

Evidence Rules

The candidate should have been involved in at least 2 contrasting sites

AK1 Maintain compliance with archaeological requirements

AK1.3 Control project against agreed quality standards

Performance Required

This will involve:

- (a) summarising appropriate **quality standards** accurately from available information in an appropriate style and format and communicating to interested parties
- (b) identifying and **verifying** individual responsibilities for maintaining quality standards
- (c) identifying specifications which conflict with statutory and legal requirements and referring these to interested parties for modification
- (d) checking materials regularly for conformance with specified requirements
- (e) checking **working methods** and the utilisation of materials for conformance with specifications and quality standards
- (f) identifying and recording work which fails to meet required standards and advising on appropriate action
- (g) agreeing relevant **amendments** to project quality requirements and specifications with interested parties and recording accurately
- (h) recording failures to respond appropriately and in a given time to written requests to remedy unacceptable standards and notifying interested parties

Occupational Context

1 Quality standards include:

- statutory requirements
- project specifications and conditions
- Codes of Practice
- best practice

2 Means of verifying quality

- visual inspection
- comparison with specifications
- comparison with standard documentation
- contractors reports

3 Working methods

- relating to health and safety
- relating to co-operative activity
- relating to recognised methodology
- relating to strategic planning
- relating to shared common goals
- relating to deliverable outputs
- relating to specific targets

4 Amendments

- in/ decreasing extent of regulation: in/ decreased measurement, more/ less deliverable targets, etc
- changing authoritative structures
- changing monitoring and evaluation processes

Knowledge Requirements

You will need to know and understand

Quality Standards

- Statutory and legal requirements
- National/ local/ organisational
- Archaeological/ externally contractual

Archaeologist's relationship to the quality standards

- In terms of authority
- In terms of supervision
- In terms of responsibility
- In terms of accountability

Methods and Measures for control

- Systems for verifying quality
- Monitoring and evaluation data
- Inspection
- Feedback loops and reporting mechanisms

AK1 Maintain compliance with archaeological requirements

AK1.3 Control project against agreed quality standards

Required Skills

You should demonstrate:

- Communication and people skills, including difficult situations such as dealing with failures to respond to written requests to remedy unacceptable standards

Evidence Required

You should provide evidence that you can control project against agreed quality standards

The candidate should be questioned, based upon the documentation provided, to explore the following

- Records of inspecting and recording work
- Records of conflicting specifications

Evidence Rules

The candidate should have been involved in at least 2 contrasting sites

AK1 Maintain compliance with archaeological requirements

AK1.4 Enforce compliance with archaeological requirements

Performance Required

This will involve:

- (a) inspecting sites in accordance with **statutory and policy requirements** and in response to actions initiated by others
- (b) identifying, evaluating and summarising accurately potential breaches in compliance in accordance with statutory and policy requirements and notifying **persons responsible**
- (c) where required, negotiating acceptable changes necessary to restore compliance, agreeing with persons responsible and recording accurately
- (d) where required, giving appropriate advice on possible enforcement action to persons responsible for rectifying breaches of compliance
- (e) implementing appropriate legal proceedings in serious cases of breach of compliance
- (f) submitting clear and accurate evidence of breaches to **appropriate authorities**
- (g) checking compliance with legal requirements and implementing further legal proceedings for situations which remain in default
- (h) accurately recording and communicating satisfactory compliance to all interested parties

Occupational Context

- 1 **Statutory and policy requirements relevant to:**
 - the development and use of land
 - structures
 - landscapes
 - plant and equipment
 - health and safety

2 Persons responsible (for compliance):

- land and property owners
- occupiers
- contractors
- professional advisers
- site supervisors/ team managers/ welfare officers

3 Appropriate authorities

- legislative
- legal
- statutory
- funding
- political
- professional/ institutional
- organisational

Knowledge Requirements

You need to know about:

Means of Enforcement

- Enforcement procedures, actions and legal proceedings:
 - Outlining accountability
 - Identifying responsibility
 - According to contracts
 - According to legislation
 - With the backing of authorisation
 - With the support of security
 - With reference to the law

Information Resources

- Regulation references
- Hierarchies and structures of responsibility
- Contractual agreements
- Legal documents and literature
- Organisational policy
- Individual job descriptions

Archaeological requirements:

- In line with organisational policy and culture
- In line with contribution to and reputation of the discipline
- In terms of activities, targets, goals and deadlines
- In terms of relationships with and responsibility to other external organisations and deliverers

AK1 Maintain compliance with archaeological requirements

AK1.4 Enforce compliance with archaeological requirements

Required Skills

You should demonstrate:

- Assertive communication skills: e.g. for negotiating acceptable changes to restore compliance

Evidence Required

You should provide evidence that you can enforce compliance with archaeological requirements

The candidate should be questioned, based upon the documentation provided, to explore the following

- Records of compliance with legal requirements
- Records of breaches in compliance identified,
- Records of changes negotiated and agreed
- Legal proceedings advised
- Evidence of breaches submitted

Evidence in the form of the above reports as individual reports in their own right or amalgamated onto one database

Evidence Rules

The candidate should have been involved in at least 2 contrasting sites