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Copyright

ETHICAL GUIDELINES

For interviewers and custodians of oral history recordings and related material

1. Interviewers have the following responsibilities before an interview takes place:

1.1 To consider the purpose of the interview and the possible range of future uses to which it might be put.

1.2 To carry out research and acquire sufficient technical knowledge to conduct an interview of the best possible standard.

1.3 To inform the interviewee of the purpose for which the interview is to be carried out, with background information where appropriate.

1.4 To determine the preferences of the interviewee as to the location and conduct of the interview (for example the presence of other persons; subject matter or personal references to be avoided).

2. The interviewer has the following responsibilities during the conduct of an interview:

2.1 To ensure that the interviewee's preferences as to the location and conduct of the interview are abided by.

2.2 To treat interviewees with respect and courtesy.

3. The interviewer has the following responsibilities after an interview has taken place:

3.1 To inform the interviewee of the arrangements to be made for the custody and preservation of the interview and accompanying material, both immediately and in the future, and to indicate any use to which the interview is likely to be put (for example research, education use, transcription, publication, broadcasting). To record in writing (and later carry out or convey to others) any restrictions on use or other conditions which the interviewee may require.

3.2 To inform the interviewee of his or her [rights under copyright law](#)¹, and to obtain a statement in writing of the interviewee's wishes concerning future copyright ownership. Even where the interviewee agrees to transfer copyright to the interviewer or to an institution, copies of substantial portions of interviews should not be passed to others without the knowledge of the interviewee.

3.3 To ensure that the interviewee is informed (preferably in writing) when

arrangements made under 3.1-3.2 above are carried out. If these responsibilities are transferred to others (for example an archive or other place of deposit), this should be with the knowledge and consent of the interviewee and should be recorded in writing.

3.4 To inform the interviewee of any new circumstances or changes to provisions made under 3.1-3.2 above.

3.5 To ensure that the interview is documented, indexed, catalogued and made available as agreed with the interviewee, and that a copy of the recording or transcript is given to the interviewee if an undertaking to do so has been given.

3.6 To ensure that all possible measures are taken to preserve interview recordings and related material.

4. Sponsoring institutions or places of deposit such as archives, libraries, museums, or university departments have the following responsibilities:

4.1 To select interviewers of sufficient competence and skill, and to give sufficient guidance or training to ensure that these guidelines are carried out.

4.2 To ensure that recordings and documentation are carried out to the best possible, and at least to a sufficient standard.

4.3 To ensure that information on copyright ownership and other restrictions and conditions is recorded in writing and preserved. To document fully in writing all transfers of interview recordings and related material from individuals or others and ensure that 3.3 is fully carried out.

4.4 To ensure that responsibilities under 3.4-3.6 are understood and carried out

4.5 To avoid the acquisition of interviews which are not accompanied by documentation indicating provenance, availability for use, and copyright status, except where there is a realistic prospect that 4.6 can be carried out successfully.

4.6 If interviews as described in 4.5 are acquired, to ensure that all possible steps are taken to contact interviewee or their heirs in order to obtain written statements concerning copyright and access.

4.7 To restrict access to interviews (even where this has not been required by the interviewee) in [appropriate cases](#)².

4.8 To ensure that names and personal details of interviewees are not passed on to third parties (for example broadcasters) without the consent of interviewees. Institutions should not become involved in any business arrangements which may result from such contacts.

4.9 To decide whether to charge for services and to fix a standard scale of charges which will apply to [all users](#)³.

Notes:

1. Interviewees own the copyright in their words, which may not be

published, broadcast or otherwise exploited without their permission. See Copyright and Oral History above.

2. Access might need to be restricted if circumstances exist or arise in which the interests or social and professional standing of the interviewee, or of others involved with the interviewee or mentioned in the interview, could be harmed by providing access. Such restrictions should only be applied if considered essential, but should apply to all potential users. The value of retaining recordings to which access is restricted should be considered before they are acquired. It is recommended that restrictions should last for a maximum of thirty years from the date of recording, and that interviews are not acquired to which access has to be restricted beyond the death of the interviewee.
3. The purpose of charging should be to cover the costs of providing access and to further the work of the institution. A "sliding scale" of charges should be drawn up, relating to use. Typically, academic researchers and local users or societies would not be charged for access or time involved in routine supervision, but should pay for photo- and audiocopying etc. at cost. Commercial users such as broadcasters or publishers may be charged for any services provided, at current commercial rates. It is recommended that additional charges for the use of extracts from recordings and transcripts are kept low, or not imposed at all. It should be made clear to interviewees that charges are being made and that such income will be put to good use.

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