

Terms of deposit

Below are the options available for the deposit of material with The Planned Environment Therapy Archives and Special Collections. Although it is lengthy it is important to clarify issues of ownership, copyright and access at this stage. If you require any further information please contact me again.

After agreeing the terms of deposit I will draw up the appropriate deposit agreement to be signed by both parties.

1. Ownership

Do you intend the deposit of the collections to be a gift or a loan? **The options are:**

1. Gift: the Charity will undertake to preserve it in perpetuity as an integral part of its archive holdings, to treat it as a separate entity, the **XXXX** Archive.
2. Loan: you will retain ownership. The initial deposit will be a set term of not less than 10 years from the date of deposit. At the end of this period the options are:
 - Either party may withdraw but must give one calendar year's notice.
 - The arrangement can be renegotiated for a further term of years.
 - The papers become the property of the Charity.

If the Archive is to be placed on loan then an agreement must be made about arrangements for transferring ownership of the Archives to ensure that the Charity is fully aware of who is responsible.

2. Copyright

Anyone who wishes to quote more than very short passages from the papers will need copyright permission. **The options are:**

1. The depositor retains copyright. All requests for permission to make use of the materials are referred on to a named individual.
2. The depositor retains copyright but allows the Archivist to permit the publication of short quotations and images in non-contentious cases (e.g. up to 500 words in any one publication).
3. The depositor transfers copyright to the Charity.
4. The depositor retains copyright but bequeaths it to the Charity.

Regardless of the option chosen, depositors are always informed if an important publication or project is proposed.

If you are donating digital material we ask for your permission to make multiple copies (including migrating the file format of these copies) regardless of the option chosen above. This is to ensure the information remains accessible long term.

3. Confidentiality and Closure

The Charity does not have a blanket twenty-year closure period for the collections it holds. Therefore, closure of material depends on the nature of the papers and the wishes of the depositor. **The options are:**

1. The entire collection is open without restriction of date.
2. Most of the collection is open for research but specific files are closed until a set date.

Please note: Both options will be applied in tandem with additional closures made necessary under the UK's data protection legislation ie. GDPR (see section 4).

If you are a public body depositing papers at the PET Archives you should note that under the terms of the Freedom of Information Act, which came into effect on 1 January 2005, all information held by a public body is subject to the provisions of the Act, except where specific exemptions regarding confidentiality and personal information can be applied.

4. General Data Protection Regulations

Under UK data protection legislation records containing personal and sensitive information relating to living individuals are closed to public inspection. If the age of an individual is unknown, the closure period assumes a life span of 100 years. Personal data includes information relating to racial or ethnic origin, political affiliation, religious belief, trade union membership, physical or mental health, sexuality, the commission or alleged commission of illegal offences.

Under Article 5 of the Regulations, The PET Archives have the right to process personal data pertaining to living persons for the purpose of research where that processing is in the public interest. The personal data that the PET Archives process will only be made available to the bona fide researchers for the purpose of research. The PET Archives undertakes to ensure that the personal data it processes will be stored safely and securely.

You should consider whether the papers you are donating contain any personal data about living individuals (e.g. membership or admission records, questionnaires and feedback forms, disciplinary or counselling records), which is likely to cause substantial damage or distress if made public and bring these records to the attention of the Archivist.

If the papers are gifted to the Charity (see section 1), the Charity will assume the role of Data Controller for the Archive. The Data Controller is the person or persons responsible for the collection and processing of personal data and ensuring that such data complies with the General Data Protection Regulations.

Where the archive is placed on loan for a term of years you will retain the role of Data Controller. The Charity will act as the Data Processor and will hold material for the Data Controller (you) and carry out the retrieval, consultation or use of the information on behalf of, and with the consent of the Data Controller. Under Article 5 of the Regulations, a researcher may for “research purposes” request access to closed parts of the Archive. Permission for access must be given by the Data Controller and then the Charity as Data Processor will put in place procedures to regulate and administer access requests (e.g. production of agreements for the maintenance of anonymity).

5. Publicity

The **XXXX** Archive will be made available to all researchers, upon registration and acceptance of the terms and conditions of use in the searchroom.

The Charity will promote the use of the Archive and this will include placing information about the Archive onto the Charity’s website, promoting it on social media, and ensuring its inclusion in national and regional resource discovery networks.

Items may be lent for exhibition in accordance with the usual terms and conditions agreed between the Charity and exhibitors. Depositors will be advised of any exhibition requests.

6. Disposal of materials

Papers of this sort sometimes include materials that will not be permanently retained, such as routine administration files or duplicate copies. **The options for paper are:**

1. The Archivist will securely dispose of these materials as the papers are sorted and listed.
2. The Archivist will put materials of this type to one side for collection by you to collect within an agreed timeframe.
3. The Archivist will send you a list of the materials that are not suitable for permanent retention. You can then choose to collect the materials within an agreed timeframe or have them destroyed.

In the case of digital material, absolute duplicates will always be deleted at transfer. The above options will therefore not apply in this instance.

7. Further deposits

Further deposits of material may be accepted under the terms of this agreement upon notification and agreement with the Senior Archivist.

Contact

If you have further questions please contact me at: archives@mulberrybush.org.uk