Law and Records Management in Archival Studies: New Skills for Digital Preservation

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ABSTRACT

The information society has deeply transformed the archivist's environment. New forms of documents and records are emerging that require new skills and new roles. In order to develop a global, long-term strategy for managing and preserving digital information, the next generation of archivists will have to understand technological issues and be involved in technological decisions in close collaboration with IT experts. In addition, they should be able to take an active part in electronic records management projects, participate in the change management process and provide advice from a medium- and long-term preservation point of view. Finally, archivists should have a better understanding of legal issues. In this respect, archival studies programs should be adapted to allow the next generation of archivists to participate in the chain of trust between the electronic record producer and its user. To illustrate this new trend in education, this paper will present DocSafe, a certificate program in digital information management offered jointly by the University of Namur, the University of Liège and the State Archives in Belgium since 2013.

Categories and Subject Descriptors

K.3.2 [**Computers and education**]: Computer and Information Science Education

General Terms

Management, Documentation, Security, Human Factors, Standardization, Theory, Legal Aspects.

Keywords

Training and Education, Archival Studies, Interdisciplinarity, Law, Records Management

1. INTRODUCTION

Over the last 30 years, work methods and practices in information management and archiving have changed profoundly. New media and new forms of records have appeared that call for an adaptation of management and preservation practices. Work processes have become progressively more computerized, with perpetually changing solutions following ever more quickly evolving technologies. This phenomenon is amplifying and constantly becoming more complex, leading necessarily to changes in the archival profession, involving new skills, new tasks, and new roles.

Information governance projects are proliferating everywhere, from the implementation of a new document management solution or an information-sharing platform, to centralized databases, email management policies, and mass digitization strategies. These complex projects necessitate collaboration with experts from different fields, from IT consultants, computer analysts, and developers, to lawyers, financial officers, and sales managers… but also archivists. All of these professionals combine their skills in sight of a common goal: professional information management.

Unfortunately, archivists are as yet too often absent from this kind of project. There are many possible reasons for this. The first is, without question, tied to a misconception of the role of the archivist as limited to the management of historical records. The second reason might come from archivists themselves, who, intimidated by the complex, technological nature of such projects, prefer not to get involved, forgetting how useful their contribution could be with regard to information management.

In fact, when archivists are involved from the beginning, it is clear that their know-how is an asset in helping to achieve projects that are viable for the long term, taking into account the life cycle of electronic documents and assuring their authenticity, integrity, usability and sustainability. Moreover, archivists know better than anyone the context in which an institution's documents are produced and received and the documents that are generated through business processes, as well as how those documents circulate between administrative divisions. Archivists orchestrate the identification and classification of information and establish detailed information management tools that track its creation, preservation, and destruction. This considerable expertise, essential for modeling the information processes and information flows that serve as a framework for solution development, also contributes to the implementation of the solution during the testing phase and by supporting users through change management.

However, in order to fully contribute to the management and preservation of digital information, it seems more and more essential to equip archivists with additional skills, still generally missing from archival studies programs. Indeed, the first generations of archivists have specialized knowledge at their disposal with regard to the processing of traditional archives[1]. On

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[1] By "traditional archives," we mean here, archives stored on a traditional medium (principally paper) and that can be viewed without the help of a mediation device. These archives also include iconographic, cartographic, and photographic archives. Petit, R., Van Overstaeten, D., Coppens, H. and Nazet, J., *Terminologie archivistique en usage aux Archives de l'Etat en Belgique*, Archives de l'Etat, 1994, p. 24.

the other hand, in the era of information on digital media, archivists must increasingly concern themselves with documents from the moment of their creation, and consequently must be able to understand information throughout its life cycle, whatever its media or form. The archivist's engagement in dynamic, integrated document management[2] calls for dialogue and for developing closer ties with other disciplines.

This paper will first present a brief panorama of traditional archival studies programs and identify recent evolutions in the field (Section 2)[3]. Then, we will consider the role of management, law, and information and communications technology education in the future of archival studies programs (Section 3). Finally, in order to illustrate these new tendencies, we will present DocSafe, a Belgian initiative offering a degree program in digital information management (Section 4).

2. TRADITIONAL ARCHIVAL STUDIES PROGRAMS AND THEIR NECESSARY EVOLUTION

Since their origin, traditional archival studies programs have trained archivists in the preservation of historical documents on analogue media. Since archivists tend to work with documents produced within specific temporal and geographic limits, it is useful to be able to analyze the context of a document's creation. Consequently, archival studies programs have divided up their offerings by historical period: medievalist archivists and modern archivists (together called old-regime archivists), or contemporary archivists. Historically, traditional archival studies programs channel students toward public or private institutions dedicated to the preservation of documentary heritage. They can therefore be called 'heritage archivists'.

Since the end of the 20th century, traditional archival studies programs have begun to evolve, but these changes have not appeared in the same way everywhere. In Anglo-Saxon countries,

the change is more noticeable, particularly because archiving and records management functions are already well integrated into professional practice. In French-speaking countries, awareness of the need for change has been slower, even if positive developments are underway.

The structure of traditional archival studies programs can vary from one country to another, sometimes as a specialization within a Master's degree in History, other times through a Master in Archival Studies, still others through a specialized certificate program. In general, the material taught can be grouped into four large subject categories[4]:

- Subjects related to the study and management of archives as such, namely archival theory and practice, as well as more specific courses such as diplomatics and paleography;

- Subjects considered to be historical that allow the archivist to better understand the context of creation of records, notably institutional, social, economic, or literary history, legal history, art history, and archaeology;

- Subjects stemming from information sciences that help the archivist to master archival media and information content; and

- Subjects coming from other fields: law, philology, languages.

With the advent of information and communications technologies, these traditional archival studies programs are starting to adapt, integrating progressively more technical courses coming out of information sciences or even other sciences. However, at the current moment, this tendency is not yet a generalized one and seems to focus on a merely technical approach to information management.

Inversely, we note that some university-level communications and information sciences programs are becoming progressively more interested in records management and archival studies. But these developments vary from country to country, indeed within countries, sometimes in a paradoxical manner. In fact, one might wonder whether records managers and heritage archivists need separate training programs. In spite of this, their professional functions are similar, since "both [are] responsible for the survival and use of archives. However, in some organizations and countries there is the record keeper who is responsible for the survival from creation of the record through to the archive stage, whereas the archivist tends to be responsible for the record at the point at which it becomes an archive. Both will have the same skills set and knowledge to ensure the physical survival and intellectual integrity of the archive."[5] Can the needs in the field provide responses to these questions? Of course, the tasks of

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[2] Integrated Document Management (or IDM) is the management of all documents, whether technology-based or analog, through a single process, throughout their entire life cycle, i.e. from the moment creation or reception through their preservation or destruction. It involves the implementation of a sustainable management system, all components of which are integrated, in order give authorized persons access to all relevant information contained in a document that documents the activities of an organization. This definition is inspired by the "Politique de Gestion Intégrée des Documents administratifs de Bibliothèque et Archives Nationales du Québec," 2009 and 2013 versions, unpublished.

[3] This section is based on a preliminary study carried out on the principal training programs currently offered in French-speaking parts of Europe and in Quebec, using data available on the websites of various educational institutions for the 2014-2015 academic year. The authors would like to thank Yvan Barreau and Fiona Aranguren Celorrio for their invaluable assistance in collecting this data. For a more in-depth analysis, see Demoulin, M. and Soyez, S., "L'interdisciplinarité dans la formation archivistique : un atout pour l'archiviste de demain," forthcoming in the next Proceedings of the Journées des Archives de l'Université Catholique de Louvain.

[4] This division into four categories is inspired by a study on archival science programs carried out by Carol Couture and Marcel Lajeunesse. Couture C. and Lajeunesse M., *L'archivistique à l'ère numérique. Les éléments fondamentaux de la discipline*, Montreal, Presses de l'Université du Québec, 2014, p. 192.

[5] International Council on Archives (ICA). Discover archives and our profession - Archives and record keepers. http://www.ica.org/125/about-records-archives-and-the-profession/discover-archives-and-our-profession.html.

heritage archivists have remained roughly the same, although they are increasingly called upon to participate in digitization projects and to use computer-based tools throughout the archival processing phase. However, despite their ongoing evolution, the traditional archival studies programs currently offered do not always respond sufficiently to the needs of information managers working with active records. The adaptation of degree programs to digital environments and to the new needs arising from records management has been uneven, particularly in French-speaking parts of Europe.

3. NEW CHALLENGES, NEW SKILLS

In order to face these new challenges, whether technical, legal, or managerial, archivists should acquire new skills that would supplement their current competences. They should be able to understand technology-related issues and choices in order to develop a digital information management and preservation strategy in close collaboration with IT experts. Moreover, archivists should also be able to position themselves as key stakeholders in digital document management projects, in order to accompany change and direct practices from the perspective of short-, medium-, and long-term archiving. Finally, engaged from the current phase of the lifecycle of a document onward, they should increasingly take into account legal aspects related to transparency, accessibility, and the preservation of authenticity and integrity, in addition to the reproduction and dissemination of information. The archivist is also called upon to play an essential role in the chain of custody between the producer of a document and its future users, whether immediate or subsequent.

It goes without saying that the goal here is not to turn the archivist into a lawyer, a computer scientist, or a manager. Archivists should remain experts in their field, and we are not calling into question the absolute necessity that they be educated in the fundamental principles of archival studies. The goal here is more to anchor these fundamentals at the heart of a multidisciplinary reality.

The aim of this increased interdisciplinarity is to allow for archivists to develop new skills corresponding to new professional needs such as:

- Understanding the legal, technical and organizational issues at play in information management, particularly in digital environments, throughout the entire life cycle, regardless of medium. In other words, understanding the technical and socio-cultural contexts in which information management is situated in the digital society.

- Understanding the key role archivists should play as information professionals in managing digital information. Giving them the tools that will allow them to take on such a role within their organizations.

- Being able to enter into dialogue with experts in other disciplines, with a view to finding common, lasting solutions that take into consideration concerns related to the management of digital information.

- Proactively involving themselves in digital information management projects within their organizations, and in developing digital information management tools and policies.

Diversifying their skill-sets also allows archivists to respond to new needs throughout the entire life cycle of the document. Archivists must no longer be confined only to the static phase, but should also be involved throughout the entire current phase of a document. In order to do this, they should acquire new knowledge and new skills: technical skills, legal skills, and project and change management skills, all related to the management and preservation of digital information. We believe that the key to understanding and meeting current challenges lies in interdisciplinary education and a tight articulation of these three categories of competences.

3.1 Technical Skills

The archivist is driven acquire new technical skills from the fields of computer science and information sciences. As information media and formats have evolved considerably in the last few decades, it is essential that archivists learn to understand their technical nature and to demystify their complexity. The goal is very much to give them the tools and the keys to better assess the issues and constraints related to existing technologies. From information sciences, the archivist should be able to understand the context of creation of these new records, and consequently analyze and evaluate the information systems that produce them in order to implement true digital diplomatics[6]. A proper understanding of the functionalities of information systems and the modeling of workflows and documentary flows seem indispensable to the archivists of tomorrow, allowing them to identify and describe the documents to be archived.

3.2 Legal Skills

Aside from the major legislation on archives, archivists should be given the tools to apply rules regarding the protection of personal information, intellectual property rights (copyright and associated rights, database protection, licensing, and open-source software) and access to information in the public sector. These legal provisions are directly applicable to their daily practice, for managing the security, confidentiality, reproduction, dissemination and accessibility of documents, as well as their destruction, whether in-house or in relation to the public or a contractor. We should remember that these rules have all been adapted to take into account the digital environment. Additionally, in order appropriately manage the context of creation and preservation of documents throughout their life cycle, archivists need to know elements of evidentiary law, including in the digital era (general principles and conditions of judicial recognition of electronic documents and signatures). They need to be made aware of the existence of general and specific rules for validity and conservation of documents.

3.3 Project Management and Change Management Skills

Archivists, whether working in archiving or in records management, need to be capable of managing and participating in projects that digitize work processes and heritage documents, and from there, should be able to anticipate and support the resulting organizational change. Indeed, change management is crucial to the success of projects involving the integration of new

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[6] On digital diplomatics, see the work of InterPARES, research under the direction of Luciana Duranti (www.interpares.org).

information and communication technologies. For example, it is not enough to implement document management tools in an organization and incorporate them into an integrated document management solution. They must also be accepted and applied by the creators and users of documents, which involves a certain amount of change-management skills. Efficiently identifying the needs of stakeholders, weighing the risks involved, and setting measurable, quantifiable objectives are skills that are essential to include in archival studies programs.

4. TOWARD NEW TRAINING PROGRAMS: THE CASE OF THE DOCSAFE CERTIFICATE IN BELGIUM

In order to respond to new professional needs and evolution in document management practices, a new training program, DocSafe, was created in Belgium in September, 2013[7]. DocSafe is a joint certificate in Digital Information Management offered by three institutions: the University of Namur[8], the University of Liège[9], and the State Archives in Belgium[10].

4.1 Target Audience and Program Objectives

DocSafe is geared toward information and/or knowledge managers, records managers, archivists in charge of electronic documents, and librarians, but also IT managers, lawyers, project managers and quality managers. However, the vast majority of students who enrolled in September, 2013 or September, 2014 are archivists or records managers[11].

In accordance with its target audience, the program has attracted not only young graduates looking to specialize or reorient themselves professionally, but also active professionals seeking complementary training that will allow them to participate in a project in their workplace or open up new horizons. The classes are organized so as to be compatible with professional activities (see section 4.2). In order to make room for discussion and interaction, the number of participants is deliberately limited[12].

At the end of the program, students are capable of developing, implementing, and following up on a digital information management and preservation project. They understand the legal, technical, and organizational issues at play in such a project and are able to make strategic choices that critically evaluate the needs, risks and constraints associated with their project. They can propose appropriate solutions and dialogue with all stakeholders

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[7] www.docsafe.info.

[8] Research Centre for Information, Law and Society (CRIDS).

[9] Research and Intervention Centre for Organizational Innovation Processes (HEC-LENTIC).

[10] Digital Preservation and Access unit (DIGI-P@T).

[11] 70% of participants in both the 2013-2014 and the 2014-2015 sessions are information professionals (archivists or record managers).

[12] 22 were enrolled in the 2013-2014 session and 14 enrolled in 2014-2015, the number having been reduced to leave more room for interaction between participants during classes. These numbers are quite positive, as it is a very specialized training within the French Community of Belgium, which includes Brussels and Wallonia.

involved in the management and preservation of digital records, particularly technicians, information managers (record managers and archivists), lawyers, decision-makers, and users of both records and systems, in addition to service providers.

4.2 Program Structure

The program is structured over one academic year, from September to June (170 hours—20 ECTS[13]), with a schedule adapted to professional activity. Once a month, participants are invited to participate in a 2.5 day training session, namely a Thursday and a Friday (during office hours) and a Saturday morning. Thus, for professionally active participants, the employer is invited to release the employee on work time for two consecutive days a month, and the employee is invited to devote half a day of her free time to the program. The goal of this compromise is to promote engagement in the training on the part of both the employer and the employee. Furthermore, this format allows for balance between the program, private life, and professional life for the participant, as well as promoting good gender balance, particularly for those participants who have familial responsibilities[14].

The program is organized into five modules that follow a typical project management trajectory. Each module is cross-disciplinary and tackles the legal, technical and organizational dimensions of digital information management and preservation.

Given the variety of participant profiles, the goal of the first module is to give each participant the fundamental principles, no matter her background, in order to guarantee a shared level of understanding. This first module therefore presents the basics of project management and records management, the technical issues at play in digital information management and preservation, as well as an introduction to legal analysis and the regulation of the information society. The second module is focused on analyzing the existing situation (mapping workflows, dataflows, and actors; typology of documents and constraints analysis) and the legal valuation of the project (legal and probative value of the information, privacy concerns and protection of personal data, digital heritage and legislation on archives, access to and reuse of public sector information). The third module looks at the conception of a solution (needs and risk analyses, functional architecture). The fourth module looks at strategic and operational aspects, with an emphasis on change management and human aspects of the project, selection and implementation of the solution, and security strategies, as well as legal protections related to the solution (copyright and copyleft, contractual aspects, liability, and confidentiality). Finally, the last module focusses on the evaluation and evolution of the project (follow-up and sustainability).

Furthermore, over the course of the training session, three one-day seminars are organized, bringing participants together around a cross-disciplinary question. These seminars are a chance to review the material and to gain perspective, using all facets of information management to analyze a question in its entirety. The three subjects of study are email management, cloud computing, and document digitization projects, which currently represent the

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[13] European Credits Transfer System.

[14] Note that 54% of participants are women for the 2013-2014 session, and 78% for 2014-2015.

three most common preoccupations of an organization. However, these themes will probably evolve over the years as a result of changes in practice and technologies. Subjects such as open data and big data are already being considered.

4.3 Learning and Evaluation Methods

The program seeks out instructors from universities, business, and the public sector, and is based on a dynamic and interactive pedagogy suited to a classroom of professionals. The objective is to give them the tools and skills needed to manage digital information efficiently from a medium- and long-term perspective.

Over the course of the modules, participants are led to use and apply various analytical tools, to share their perspectives and to exchange points of view through scenarios, group exercises, and case studies, relying on a solid theoretical base.

The evaluation of participants' competences balances theoretical knowledge and applied skills. In order to assure the progressive assimilation of theoretical knowledge during the program, there are regular quizzes throughout the year. At the end of the program, a two-and-a-half-day residential seminar takes place that allows students to immerse themselves in a cross-disciplinary case study requiring the integration of the different perspectives and principles taught in the various modules. The participants, divided into small interdisciplinary groups, are thus placed in a situation close to reality, requiring analysis and synthesis, pragmatism and creativity, team management and time management. At the end of the seminar, they must deliver a brief written summary giving their diagnostic and proposing a strategic plan, which they must present before a board of directors made up of instructors from different disciplines.

Finally, each participant is invited to draft individually a digital information management and preservation project tied to their professional context. This analysis has proven to be particularly rewarding for the student and directly useful for her possible employer, applying the skills acquired throughout the program right away and putting them to use for the organization.

Participants have expressed great satisfaction at the end of the program, emphasizing that it provided them not only with theory and methodological tools, but also with the self-assurance needed to sit at the table and act as full stakeholders in a digital information management project within their organization.

5. CONCLUSION

New skills are proving themselves necessary today for the acquisition of a concrete and useful skill-set in digital information management and preservation. But such skills are proving equally indispensable in the development of interpersonal skills for the archivist at a time when archivists are searching for a new identity.

Modernizing archival studies programs means showing that information management is a career for the future, helping to inspire new interest in the field and to promote professional reorientation, while responding to the evolution of professional needs and the job market. It also means promoting, supporting, and encouraging information professionals to actively engage in information management within their organization, with real added value.

Far from heralding the decline of the archival profession, the information society represents an opportunity. More than ever, information is power. As an information professional, the archivist has a major role to play in this arena, subject to the acquisition of new skills. This evolution transpires through the revision of archival studies programs to better take into account the professional needs. It means not only developing more modern, more attractive programs with the means to train a new generation of archivists, but also complementing the training of professionals looking to reorient their careers through continuing education tailored to their needs.

6. REFERENCES

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