

1. Form of Association

Members of the Committee investigated different possibilities which included incorporation as a company, and registration as a business name or voluntary association. We concluded that the last - being a voluntary organisation - is the only viable alternative in terms of cost, complexity and legal responsibilities. This means that the Association must have a constitution which we are presently drawing up.

2. Members of the Committee are investigating areas which they feel are crucial to the protection of consulting archaeologists. These are as follows:-

(a) Insurance:

We will try to arrange for advantageous policies with certain companies for the following types of insurance -

personal liability, professional indemnity, workers compensation, loss of income (personal accident).

The Committee suggests that it would be wise for members to come to individual agreements to indemnify each other in case of inability to complete contracts.

(b) Copyright and Ownership of Material gained during contract work.(c) Form of Contract:

We are at present drawing up a series of clauses which could be combined into standard contracts suitable for different types of work so that the rights of the contractor and the client are clearly specified and legally defined.

(d) Tax Implications:

The Committee is looking into the system of taxation to get advice and guidelines for consultants.

3. Committee of the Interim Association:

The Committee consists of -

Chairperson	Laila Haglund, 1 Cameron Street, Balmain, NSW 2041
Secretary	Valerie Attenbrow, 79 Calder Road, Chippendale, NSW 2008
Assistant Secretary	Mary Dallas, c/o Dpt of Anthropology, University of Sydney, NSW 2006
Treasurer	Len Cubis, 62 Ross Street, Glebe 2037
Committee Members	Margrit Koettig, Carol Powell, Marjorie Sullivan, Eleanor Crosby, John Lough, Anne Bickford, Greg Hammond, Sherrie-Lee Evans, Hilary Sullivan, Jenny Van Proctor.

Any issue which you feel you would like to comment on or contribute to, please address your correspondence or feel free to contact any one of the above who will draw it to the attention of other members of the Committee - or write to PO Box 214, Holme Building, University of Sydney NSW 2006.

4. At the first general meeting the Code of Ethics and Set of Guidelines were discussed. Certain clauses were revised at the meeting and at subsequent committee meetings, and the Committee directed to look into problems raised by other clauses. The following are suggestions for revision to the drafts.

(a) CODE OF ETHICS

Duty to the Public:

Second paragraph should now read -

"A member shall not undertake any research for which he/she is not qualified".

Third paragraph should now read -

"A member shall not recommend or take part in any research which he/she has good reason to believe may be sub-standard".

A fourth paragraph is to be inserted -

"A member shall ensure that all relevant data pertaining to the resource base should be deposited with an appropriate government authority or archive."

Duty to Informants:

It was suggested that a separate heading be included to cover Duty to Informants and this should be inserted after Duty to Certain Groups.

The paragraph under this heading is -

"A member shall offer appropriate remuneration for any time, expertise, personal costs and inconvenience incurred in the giving of information, sought by a member of the association."

Duty to The Profession:

Third paragraph should now read -

"A member shall respect the research and professional interests of colleagues as far as is ethical in terms of the interests of the public and the discipline."

The following will be inserted as the fourth paragraph after paragraph three -

"Where a member has been asked for a second opinion, he/she shall advise the first archaeologist that he/she has been so requested."

The fourth paragraph will now be paragraph five and should now read -

"A member shall not refuse a reasonable request from a qualified colleague for research data and shall endeavour to pass on relevant information to interested colleagues and appropriate official bodies."

The following paragraphs will be transferred from the Guidelines to this section as the sixth and seventh paragraphs -

"The consultant should not knowingly compete with another for employment to the detriment of professional standards." The final part of this sentence will read as shown here.

"A member must state clearly the evidence on which the report is based, to what extent it is a matter of personal observation and the qualifications and experience of any co-workers quoted." This paragraph will also remain in the Guidelines under Reports for Publication.

Diligence:

The matter of professional indemnity was considered as an ethical problem under this heading and is being further investigated by the Committee.

Training of Potential Archaeologists:

The paragraph under this section should now read -

"A member shall give less qualified co-workers on a project every reasonable opportunity to gain skills and experience and shall negotiate adequate and appropriate remuneration for such work with regard to the skills of the co-worker and requirements of the job."

Credit to Colleagues:

This paragraph should now read -

"A member shall give due credit for work done by others, as consultants and/or researchers, (including subordinates) and acknowledge ideas and methods originating from other persons unless such contributions have become generally known."

Legal Requirements:

The second paragraph should now read -

"A member shall refuse any request from employer or client, or any other person(s), which involves illegal or unethical behaviour, such as suppression or misrepresentation of information."

(b) GUIDELINES FOR CONSULTANTS

Professional Relationships:

The first paragraph deals with copyright and ownership. These matters are being looked into by the Committee and legal advice is being sought. This paragraph will be revised once all information is to hand.

The second paragraph should read -

"The Consultant is responsible for the transmission of such data to relevant institutions where they will be accessible to those who can make responsible use of them."

A further paragraph is to be inserted after paragraph three -

"The client shall be made aware that the scope of the job may exceed the geographical boundaries of the proposed project."

The final paragraph should now read -

"The Consultant should not knowingly compete with another for employment to the detriment of professional standards.

This paragraph will also be included in the Code of Ethics under Duty to the Profession.

Reports for Publication:

The second paragraph is to remain in this section, but should also be included in the Code of Ethics under Duty to the Profession.

Research Data, Maps and Illustrations:

This paragraph will be revised subject to legal advice on copyright and ownership.

Charging of Fees:

The first sentence of this paragraph should now read -

"Fees can be charged on a time and/or on a lump sum basis. The lump sum"

Assessment of Fees:

First paragraph should now read -

"The scale of fees, travelling and other expenses and any limit on expenditure should be agreed on before work starts and set out by the Client in an official letter or contract."

The second paragraph should read -

"Fees on a time basis are for agreement between the Client and Consultant but certain recommended rates should apply in terms of qualifications and experience."

A fourth paragraph will be added to deal with workers compensation for co-workers. This matter is still being investigated by the committee.

Suggested Fee Scale:

For the moment we are considering the feescale as set out on the enclosed sheet, but it has not been formally adopted by this Committee. The basis of the fee scale is that suggested by the NSW National Parks and Wildlife Service.

Point (c) in the second paragraph may be revised to fit in with the NPWS scale.

Point (e) should now read - "time spent on actual research and fieldwork"

An additional item shall be included after (e) as (f) -
"time spent on analysis of laboratory work"

(g) will remain the same -

(f) will become (h).

In respect to the final paragraph, the Committee are investigating the formulation of a clause to go into a contract specifying possibilities of extending time due to extraneous circumstances.

A committee meeting agreed that a clause should be inserted in this section that archaeologists employed on a full-time basis who accepted contract work, should not do so at a lower rate of pay than that charged by independent consulting archaeologists.

Terms of Payment:

The first paragraph should now read -

"Payment is due by the Client within a month following the receipt of the completed report. In the case of long-term (over two months) projects some type of progress payments should be agreed on in advance."

Although at the meeting it was considered that a long-term project was over one month, NSW NPWS consider contracts of over two months as long term project. This period may be adopted by the Association in this section.

5. The Committee is also considering the production of a series of booklets as an aid to prospective consultants. These would include the issues discussed above as well as practical procedures to be used in different states and in different types of contract work.
6. The Committee will continue to investigate these things, and will report at the workshop at Kioloa (August 1979). Our aim is to foster a broad spectrum of views, so please respond before Kioloa if you have any comments to make on the matters raised in the covering letter and Newsletter. These will be considered at our committee meeting after Kioloa.

INTERIM NSW ASSOCIATION OF CONSULTING ARCHAEOLOGISTS

RECOMMENDED FEE SCALES

These are based on those used by the National Parks and Wildlife Service of NSW. The latter are based on rates set by the NSW Public Service Board and the rates selected as appropriate to different classes of people, different classes of jobs and different time scales.

CLASSES OF PEOPLE:

Specialist Consultant

Engaged for some special expertise and/or particularly difficult task.

Principal Consultant

Highly qualified and in charge of some complex project. This may involve co-ordinating investigations carried out by other consultants.

Consultant

had adequate training for the job undertaken. Class I has more than, Class II less than two years experience of the type of work involved.

Graduate Office Worker

engaged to carry out routine work of a specific nature, e.g. site card system, cataloguing. Pay calculated in terms of degree of responsibility and independent judgement involved.

Field Assistant:

Paid as graduate if experience and skill possessed are necessary for the job undertaken, but as untrained if the work could be done by any able-bodied person. The position of student assistants has to be considered from case to case, in terms of amount of training given to and amount of responsibility taken by them.

FEE SCALES:

Fee scales are adjusted from time to time; the appropriate Public Service Board classifications and present yearly rates are listed below as well as the formulae used to calculate the recommended rates:

Basis for scales:

Principal Consultant	Grade 3, 3rd year Scientific Officer (\$18,400)
Consultant Class I	Grade 1, 4th year Scientific Officer (\$12,986)
Consultant Class II	Grade 1, 2nd year Scientific Officer (\$11,420)
Graduate Office Worker	Hourly rates for University of Sydney, Senior Research Assistant
Field Assistant	Skilled Park Worker or Unskilled Park Worker

Formulae for calculating rates:

Hourly rate	yearly rate + 110% : 1505
Daily rate	8 x hourly rate + 25%
Weekly rate	40 x hourly rate + 10%

(The calculations include allowance for annual leave)

Recommended Fee Scales - page 2

Recommended Rates:

Specialist Consultant	\$35.00 per hour ¹ (i.e. Principal Consultants rate + 40%)
Principal Consultant	\$25.00 per hour ¹
Consultant Class I	\$18.00 per hour ¹
Consultant Class II	\$16.00 per hour ¹
Graduate Office Worker	\$9.40 or \$8.30 per hour ¹
Field Assistant ² -	
Graduate	\$50.60 per day or \$250.00 per week
Untrained	\$35.53 per day or \$156.40 per week
Student	Living expenses plus training, possibly also a fee.

Note: NPWS of NSW pays Aboriginal Consultants at the rate of \$10.00 per hour.

- 1 Consultants and Graduate Office Workers - hourly rates apply for jobs taking up to two months (or 320 hours), except in the case of Specialist Consultant when the limit is 40 hours. Daily rates apply up to and including 11 months, and weekly rates thereafter.
- 2 Field Assistants - daily rates apply for jobs up to two months (or 320 hours), weekly rates thereafter.