Archaeological report review fact sheet

What to expect when the ministry reviews your archeological report: A guide for licensed archaeologists

This fact sheet provides an overview of the Ministry of Tourism, Culture and Sport's (MTCS) report review process. It also answers frequently asked questions about the possible outcomes of report review and provides useful tips and contact information.

How does the ministry determine which of my reports to review?

Archaeological reports are selected for technical review based on:

- the potential risk to archaeological sites as a result of land development activities, and
- archaeological licensing needs.

A technical review is completed of most archaeological assessment reports that document archaeological sites. This helps to ensure that land development approval decisions are informed by appropriate recommendations for archaeological sites.

While the majority of reports are reviewed, most low risk reports are entered into the *Ontario Public Register of Archaeological Reports* (the Register) without a technical review.

Low risk reports include:

- archaeological research reports (non-consulting reports), or
- archaeological assessment reports (consulting reports) that do not document archaeological sites.

Low risk reports meeting the criteria for no technical review may be audited. These audited reports are reviewed to check the licensee's compliance with the terms and conditions of their licence, including, for archaeological assessment reports, compliance with the *Standards and Guidelines for Consultant Archaeologists* (Standards and Guidelines).

> **Note**
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> The ministry reserves the right to review any report and may do so at any time. Therefore, it is important to make sure that each and every report that you file with the ministry meets all of the relevant fieldwork and reporting standards.

What types of review do reports receive?

Reports that receive a technical review are subjected to either a **detailed** or a **focussed** review. The level of review depends on the associated risk to archaeological sites as a result of land development activities, ministry priorities and licensing needs.

Detailed review

A report will receive a detailed review if it is:

- prepared by a new archaeological licence holder, in order for the ministry to provide mentoring,
- being reviewed, in order for the ministry to help the licensee meet the *Standards and Guidelines*, or
- a high risk report.

High risk reports include archaeological assessment reports that:

- document complicated assessment projects or complex archaeological sites,
- document one or more archaeological sites with cultural heritage value or interest, or
- recommend no further work for sites documented.

A detailed review of high risk reports is completed to ensure compliance with ministry requirements for fieldwork and reporting as outlined in the *Standards and Guidelines*. It involves reviewing the report against every relevant standard and ensuring that recommendations for no further work are appropriately formulated and based on good evidence.

Focussed review

A focussed review of moderate risk reports is completed to ensure that the fieldwork, reporting and the recommendations for further work comply with the *Standards and Guidelines*. It involves reviewing the report against a selection of standards.

Moderate risk reports include archaeological assessment reports that:

- document archaeological sites, and
- recommend further work for the sites documented.

Reports initially subjected to a focussed review may be ‘bumped up’ to a detailed review if it is found that a significant number of fieldwork or reporting standards have not been met.

How does a review officer determine whether the standards have been met?

Reports are reviewed by Archaeology Review Officers. Review officers use the *Standards and Guidelines* as the basis for their review. They compare the information provided in the report against relevant standards. For each fieldwork standard there is an accompanying reporting standard, both of which must be addressed by the report.

Review officers also use the additional guidance materials that clarify how the ministry has interpreted the standards, including:

- technical bulletins
- fact sheets
- frequently asked questions
- manager's memos
- the ministry's website

A review officer may also consult with other reviewers, the archaeological data coordinator, the licensing officer, the team lead or the manager of the Archaeology Programs Unit.

Review officers may also consult a wide range of available resources, including:

- maps and aerial images (e.g. Google Earth),
- the ministry's internal GIS which includes the locations of archaeological sites in the Ontario Archaeological Sites Database,
- information on archaeological sites and resources held by the ministry (e.g. site record forms, reports, correspondence and requests for advice),
- available historical documentation, or
- fieldwork inspection reports (if an inspection has been completed).

Review officers also:

- meet as a team regularly to discuss interpretation of the Standards and Guidelines and review case studies, and
- recognize that, in some instances, there is a range of acceptable practice depending on how a licensed archaeologist has applied a standard or combination of standards.
- What are the potential outcomes of a report review?

The review will result in a letter notifying the licensee that:

- the report has been entered into the Register,
- there are concerns with the report and a revised report must be filed,
- there are outstanding concerns with a revised report and another revision must be filed,

- the report is incomplete and the ministry's review has been terminated, or
- the report has been deemed non-compliant.

If concerns have been identified with the report, the letter will list the concerns.

Why has a review officer requested that I revise my report?

Requests for revisions are most often requests for more information or clarification of points made in the report.

A review officer will request revisions through a report review letter when they have completed their review of the report. Most requests will require that a revised report be submitted.

In some cases, clarifications or requests for further information will be requested before the review of a report has been completed. These requests for information are often made by email or phone.

The most common concerns with a report arise from a lack of clarity about decisions made in the field, or insufficient information to support the statements in the report. These concerns can often be addressed through the submission of a revised report.

A request for a revised report will always include a concern that the licensee has not met either the terms and conditions of their licence or a standard that is specific to the conservation of archaeological sites. A revised report may not be requested if only a small number of standards that are more administrative in nature have not been met (e.g., report is not formatted according to Table 7.1).

If a revised report is requested, the review officer will list all of the standards that have not been met in their review letter. However it may not be possible to evaluate whether a standard has been met in their initial review.

Can a review officer request further revisions to a report that I have already revised?

Yes. A review officer will make every effort to ensure all concerns are identified in the initial review of a report. However, in some cases the information in the original report may not allow the review officer to determine whether all of the relevant standards have been addressed. For example, the original report may be missing information and when this information is provided in a revised report the review officer identifies concerns with it. For this reason, a reviewer officer may identify points in the review of a revised report that did not appear in the review of the original report.

> **TIP**
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> In addition to meeting the fieldwork and reporting standards relevant to the stage of assessment you have completed, you can help to ensure that your report passes the review by doing the following:
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> - Clearly describe the decisions that you made during fieldwork, why they were made and how they affected fieldwork strategies or reporting.
> - Encourage your field directors to take detailed field notes so that a clear description of decision making can be provided in the report.
> - Ensure that the person who made decisions in the field (either you or your field director) reviews the report before it is submitted to the ministry.
> - Have a colleague review the report before submission, or
> - Submit a request for technical advice to Archaeology@ontario.ca if you are unsure about how to meet certain standards.

Why has my report been deemed incomplete?

A report will be deemed incomplete when the ministry has identified concerns with a report and requested revisions, and the associated revised report:

- is not filed with the ministry by the assigned deadline, or
- does not address all of the concerns identified to the ministry's satisfaction.

A report will only be deemed incomplete after there has been a least one request for revision. Often, multiple requests for revision will precede a decision that a report is incomplete.

Before the report is deemed incomplete, the review officer will consult the team lead or manager. The concerns with the report are reviewed and may result in the review officer sending a letter to the licensee detailing the outstanding concerns. This letter will either:

- request further revision, or
- provide notification that the report has been deemed incomplete.

Why has my report been deemed non-compliant?

A report will be deemed non-compliant when the review officer has:

- identified concerns with a licensee’s compliance with the terms and conditions of their licence (including failure to notify the ministry of a planned fieldwork project by submitting a Project Information Form before fieldwork begins); or
- the fieldwork documented in the report has been found to be severely incompetent or destructive to the archaeological site.

A report will only be deemed non-compliant as a measure of last resort after there has been a least one request for revision. Often, multiple requests for revision will precede a decision that a report is non-compliant.

Before the report is deemed non-compliant, the review officer will consult their manager. The concerns with the report are reviewed and may result in the review officer sending a letter to the licensee detailing the outstanding concerns. This letter will either:

- request further revision, or
- provide notification that the report has been deemed non-compliant.

If a report is deemed non-compliant, the ministry will not accept further reports submitted under the associated Project Information Form number.

Are all the outcomes of report review considered equal with respect to licence consequences?

No. A request for revision to a report is not considered equal in severity to an incomplete or non-compliant report. The request for revisions is the first step in determining whether or not an assessment was completed in compliance with the *Terms and Conditions for Archaeological Licences* and the Standards and Guidelines.

Incomplete and non-compliant reports are the outcome when the ministry has determined that the standards have not been met. For this reason they are considered to be more significant with respect to licensing compliance and may trigger a review of your licence.

> **TIP**
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> Consider conducting a self-assessment of your compliance with the Standards and Guidelines to ensure that your fieldwork and reporting have met the standards. This can help identify opportunities for improvement and can reduce the possibility of your report requiring revision or being deemed incomplete or non-compliant.

Can I appeal the outcome of a report review?

If you disagree with the outcome of the review of a report, you can work through a process that includes the following steps:

1. Contact the review officer.
2. If your concerns cannot be resolved with the review officer, request a meeting with the team lead or manager of the Archaeology Programs Unit.

> **TIP**
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> If you don't understand the review officer's concerns or what is being requested of you, contact the review officer to ask for clarification.

Where can I go for more information?

For more information visit our website: ontario.ca/archaeology. There you will find:

- the *Terms and Conditions for Archaeological Licences*
- the *Standards and Guidelines for Consultant Archaeologists*
- technical bulletins
- fact sheets
- frequently asked questions

You may also contact the ministry's Archaeology Programs Unit by:

- email at archaeology@ontario.ca, or
- phone at 416-212-8886.