

# **Arts Council Collection Loans Policy & Procedure**

# Loans Policy

## 1 Introduction

The Arts Council Collection makes work available for loan to museums and galleries and publicly funded bodies within the UK.

The primary objective of the loan policy is to widen the nation's appreciation of modern and contemporary British Art.

This policy aims to ensure that Arts Council Collection fulfils its responsibilities in relation to the effective management of loans from the Collection.

The policy is one element of the Arts Council Collection's wider collections management framework. It should be read in conjunction with the documents contained in the Arts Council Collection Collections Management Policy Framework, which includes the Collections Development Policy, Collections Information Policy, Collections Access Policy, and Care and Conservation Policy.

## Mission Statement

The Arts Council Collection is the national loan collection of modern and contemporary British art. Founded in 1946, the Collection reaches the broadest possible audience through long loans to public institutions, exhibition loans, touring exhibitions and digital and print publications. The Collection supports artists in the UK through the purchase and display of their work, and safeguards it for future generations using the highest possible standards of collections care.

## **Description of Collections**

The Arts Council Collection is one of the largest loan collections of modern contemporary British art. There are now almost 8,000 works in the Collection, which is owned by Arts Council England and administered by the Southbank Centre in London. The collection operates as a 'museum without walls' and is the most widely circulated of all of Britain's national collections. Works are varied and can be viewed in exhibitions in museums and galleries across the UK and abroad and include paintings, sculpture, original works on paper, prints, photographs, film and video, and installation works.

The Arts Council Collection lends to public buildings across the UK, including schools, universities, hospitals and charitable associations.

## **2 Policy Objectives**

### **The Arts Council Collection loan policy aims to:**

- Reach different audiences and enhance people's everyday environment and their enjoyment of the visual arts.
- Maintain its unique position amongst other UK collections, through long-term loans to non-gallery institutions.
- Work collaboratively with National Partner Programme museums to lend works and support the creation of exhibitions.
- Develop long-term collaborations and partnerships with organisations.
- Work with organisations which have an agreed programme of public access.
- Broaden access to the Collection's holdings and reach new audiences.
- Raise the profile and understanding of the Arts Council Collection and raise the profile of British art, both in the UK and abroad.
- Assist academic research.
- Make touring exhibitions available to other museums and galleries of British art and artists.
- Support and contribute to important exhibitions and displays through loans.

### **3 Standards**

The Arts Council Collection aspires to meet the loan standards set out in PAS 197:2009 Code of Practice for cultural collections management, the UK Accreditation Standard and SPECTRUM 4.0 – the UK Standard for Collections Management.

The Arts Council Collection is committed to maintaining up-to-date loan procedures to ensure consistent application of SPECTRUM standards.

### **4 Ethics and Legislation**

Work in this area is guided by the Data Protection Act 1998, intellectual property rights, the Museums Association Code of Ethics 2015 and the Freedom of Information Act 2000.

The Arts Council Collection always carries out checks to ensure that it has good title to works entering the Collection. The Arts Council Collection will not borrow lend or acquire works that have been stolen or illegally imported or exported out of their country of origin and adheres to the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property.

### **5 Applications for Loans**

- Applications for loans are considered by the Arts Council Collection's Loans Committee. The Loans Committee is chaired by the Collections Curator, Arts Council Collection, and meetings are held every four to six weeks.
- Applications for loans must be made in writing to the Director of the Arts Council Collection at least six months prior to the respective exhibition opening.
- All borrowers must comply with the Arts Council Collection's conditions of loan, which are available on the Arts Council Collection website.
- Other than in exceptional cases, for instance a specific request from an artist or an exhibition of significant international importance, the Arts Council Collection will generally lend to UK borrowers in preference to non-UK borrowers.

- Fees to cover costs are charged for long-term loans to UK institutions.
- Non-UK borrowers are expected to pay a per-work, per-venue fee, based on the value of the work.

From time to time a loan request may be refused on the following grounds:

- Not enough notice has been given to the Loans Committee.
- The work is too fragile to lend or requires too much preparation for the Arts Council Collection team to undertake that preparation.
- The exhibition does not provide the right context for the work or the exhibition proposal is not considered to be strong enough.
- The borrower cannot meet the conditions of loan in regards to transport, environment, art handling or security.
- There is insufficient public access.
- The financial stability of the borrowing institution is in doubt.
- There are ethical issues with regard to lending to the borrowing institution.
- The work is required for loan elsewhere.
- The artist or their estate does not wish to be part of the proposed exhibition.

## **6 Conditions of Loan**

Arts Council Collection conditions of loan will be adhered to for all loans; a copy of the current conditions of loan is available on the Arts Council Collection website.

# Loans Procedure

This document is split into Section One: Exhibition Loans and Section Two: Long Loans

## **Section One: Exhibition Loans**

This document will cover the standard procedure for borrowers requesting a loan from the Arts Council Collection.

### **Making a Request**

Borrowers are encouraged to discuss future loans with a member of the Arts Council Collection team prior to making a request, but an initial formal request for the loan of specific works must then be made in writing to:

Director of the Arts Council Collection  
Arts Council Collection  
Southbank Centre  
Belvedere Road  
London  
SE1 8XX

To speed up requests, borrowers are asked to include a UK Registrars Group (UKRG) Facilities Report including the Security Supplement, together with three months of environmental readings, along with their formal request.

Requests should be made as early as possible, but at least six months prior to the proposed collection of the work(s). Request letters will be acknowledged via email by the Loans Coordinator within 14 days of receipt. All decisions are made at monthly meetings and we aim to give feedback within seven days of the meeting. Where complications arise, such as conservation reviews, uncertainties around installation and concerns over environmental conditions, the process of confirming the loan may take longer.

## **Costs**

Borrowers within the UK do not normally pay an administration fee or contribute toward the cost of preparing works for loan. The only exception is with the Select Scheme where a fee is charged to cover curatorial input.

All borrowers are expected to cover the cost of:

- Insurance.
- All transport costs.

However, in certain circumstances, borrowers may also be requested to contribute to:

- Framing.
- Glazing.
- Plinths and covers for sculptures, where required.
- Packing cases.
- Courier costs (UK per diem rate of £34.98 per day), where necessary.
- Permission to use an Arts Council Collection photograph of a work.
- Exceptional conservation costs.
- Other one-off costs, such as reproduction of films, solo use materials etc.

Borrowers outside of the UK will be charged an international loan fee, which is based on the value of the work(s). When works tour to more than one international loan venue, the international loan fee will be charged per venue.

The Arts Council Collection will make every effort to indicate costs as early as possible.

With Select and Arts Council Collection Touring exhibitions, the fee will be agreed at the same time as the confirmation of works.

## **Viewing Works**

It may be possible to arrange a viewing of two-dimensional and time-based media works at our London store and/or sculpture/installation works at our Yorkshire store. Borrowers wishing to arrange a viewing should contact the Loans Coordinator for two-dimensional and video works and the Collection Coordinator for sculpture. On occasion, viewings may not be possible due to time, staff availability and space constraints.

## **Borrowing Time-Based Media Works**

The Arts Council Collection is unable to send copies of digital artworks to be viewed prior to the loan request being made. Should a borrower wish to view

the work, they should contact the Loans Coordinator who may be able to arrange a viewing at our London store.

Generally the Arts Council Collection does not lend equipment on which to display time-based media artworks e.g. monitors and projectors. The Arts Council Collection will supply the specification and the borrower must source and maintain appropriate equipment.

When works have to be copied, or slides made, the borrower will cover the cost.

The borrower must cover the cost of any installation environment specified by the artist, including, but not limited to, the building of an enclosed space, carpeting, painting, benches, an artist's fee, where required, and screen construction.

### **Security**

As requested above, borrowers should include a UKRG Facilities Report with the Security Supplement when making a request. The Arts Council Collection reserves the right to contact the National Security Advisor and request a visit to the borrowing venue. The Arts Council Collection may require a site visit prior to agreeing to the loan of work(s).

The Arts Council Collection will keep all security details confidential.

### **Insurance**

All works lent by the Arts Council Collection must be fully covered either by terms of government indemnity, where applicable, or by commercial insurance. In the case of commercial insurance, works must be insured on a 'nail-to-nail' basis. A proof of insurance certificate must be sent to the Arts Council Collection four weeks before the collection of works. **The Arts Council Collection will not release any works without proof of adequate insurance cover or indemnity.**

Government indemnity only applies to loans made within the UK.

In line with the guidelines of the UK Government Indemnity Scheme (GIS), it is not considered appropriate to issue Section 16 indemnities in respect of property lent by bodies such as the Arts Council Collection. This is because of the rule whereby such bodies bear their own risk for public property. The Arts Council Collection therefore bears the majority of the risk, while the non-national institution will carry the minimum liability.

The minimum liability requirements are as follows:

## **Loss**

The borrowing non-national must meet the cost of any loss up to:

- A limit of £300 where an object is valued at less than £4,000, or;
- £300 plus 1% of the object's total value where that value is £4,000 and above.

## **Damage**

The borrowing non-national must meet the cost of any damage up to:

- A limit of £300 where the cost of the damage (excluding depreciation) is less than £4,000, or;
- £300 plus 1% of the value of the damage (excluding depreciation) where the value of the damage is £4,000 and above, or;
- In the case of a non-national that is a designated museum under the Arts Council England designation scheme, and which has opted for a minimum liability arrangement of £5,000 within its financial year, such a borrowing non-national must meet the cost of loss or damage up to a limit not exceeding £5,000. The borrowing non-national must inform the Arts Council Collection if they have opted for this arrangement.

The Arts Council Collection will accept cover provided by commercial insurance companies in the form of a copy of their certificate, or a letter addressed directly to the Arts Council Collection from their brokers or, in the case of local authorities, letters of confirmation from the City Treasurer. In both instances, cover must be 'nail-to-nail', and both the Arts Council Collection and the insured works with their agreed valuations must be named.

We accept indemnity cover from EU countries and the USA. All other countries must provide commercial insurance.

## **Valuations**

All works are re-valued before going out on loan. The values will be on the loans agreement. If the borrower requires values prior to receiving the loans agreement, they should contact the Loans Coordinator.

## **Health and Safety**

It is the full responsibility of the borrowing venue to ensure all health and safety guidelines are met for the installation, duration and deinstallation of the loan. The Arts Council Collection will advise on specific installation/deinstallation implications as required. Risk assessments and method statements are available for complex works, however it should be noted that these are generic and are provided for advisory purposes only; it

remains the full responsibility of the borrowing venue to carry out their own risk assessments and method statements. Any access, structural or electrical safety checks are also the full responsibility of the venue and the Arts Council Collection may request written proof where a work requires certain conditions or assurances.

### **Cancellation of Loans**

The Arts Council Collection recognises that a loan may be cancelled or works withdrawn for valid reasons, but reserves the right to charge the borrower for any conservation or other costs which may have already been incurred. Cancellations must be made in writing to the Loans Coordinator, with a minimum of one month's notice. The Arts Council Collection reserves the right to terminate the loan at any point.

### **Packing**

All works of art will be prepared by the Arts Council Collection team prior to departure. We may request that the borrower arranges fabrication of a transport frame or packing case at their expense. These should be delivered two weeks before the collection date. The Arts Council Collection will supply the specification. Most works will be supplied with display fixings with the weight and security of the work in mind. In the case of framed two-dimensional works, these will usually be Ryman fixings, but other types are also used. Fixings should not be removed from any Arts Council Collection works without prior consent and should be returned with the works. If fixings are not returned with the works, or have been damaged, the borrowing venue will be charged for replacements.

### **Collecting and Returning Loans**

Borrowers must give three-weeks' notice of the intended date and transport agent appointed to collect and return the work. The Arts Council Collection reserves the right to ask the borrower to appoint a different transport agent if our conditions of transportation are not met. A list of recommended transport agents is available on request.

A cased work should be repacked in the custom-made packing case in which it travelled, using the original packing materials and methods unless otherwise agreed in advance with the Arts Council Collection. Condition reports must be returned with the work. Works which travelled uncased should be repacked by a method similar to that used for the original journey.

### **Couriers**

The Arts Council Collection reserves the right to send a courier where works are deemed to be vulnerable in terms of their condition, handling, transport, value and if the borrowing venue is unknown to us and/or if the installation of

the artwork is particularly complicated. The courier has the right to withdraw works from display if they feel the Arts Council Collection standards have not been met. All costs including but not restricted to travel, accommodation and per diem must be met by the borrowing venue. These will be outlined in the loans agreement covering letter.

### **Customs**

Customs formalities are the responsibility of the borrower via their appointed agent; borrowed works must not be unpacked for customs inspection en route. In the event of a work being requested to be unpacked by customs whilst in transit, the Arts Council Collection must be informed immediately before any action is taken.

### **Damage or Loss**

If a borrower suspects a work has been damaged or suffered loss, the borrower must inform the Director of the Arts Council Collection in the first instance or another member of the Arts Council Collection team should the Head be unavailable. Please see [www.artscouncilcollection.org.uk](http://www.artscouncilcollection.org.uk) for contact details. Following the immediate report of the incident please provide the following:

- Photographic documentation of damage.
- Written report of the incident, including times, images and details of damage.

Borrowers should not attempt to rectify any damage without permission from the Director of the Arts Council Collection.

## **Section Two: Long Loans**

As stated in the mission statement, the Arts Council Collection is dedicated to reaching the 'broadest possible audience' through loans to a variety of public-facing venues, including, but not limited to, libraries, hospitals, schools and universities.

### **Procedure for Long Loans**

- Requests for long loans should be made to the Loans Coordinator, who will normally make an informal site visit to assess whether the conditions of loan can be met. This will take place before works are recommended.
- A set of criteria is drawn up by the borrower to help inform the selection, including requirements for dimension, colour and style of

work. Using these criteria, the Loans Coordinator will create an initial list of suitable works for the borrowing venue to choose from.

- If there are no works on the list that the borrower considers suitable, a new list can be created.
- Once the work or group of works has been selected, a formal loan agreement will be drawn up with the borrowing institution. Any special conditions or requirements will be noted at this stage.
- Once a selection has been made, works are prepared for loan by the Arts Council Collection technicians and an installation date is scheduled with our transport team. The period between selection and the installation of works is usually between three and six months.
- Works are delivered and installed at the venue by the Hayward Transport team or a commercial transport agent appointed by the Arts Council Collection. A member of the Collection's curatorial team will be present to oversee the installation.
- More complex installations will require a visit from a member of the Collection's technical team to ensure that the installation goes smoothly and to carry out any risk assessments. Borrowers are ultimately responsible for the display of work in their premises and, where appropriate, are responsible for ensuring that their health and safety teams are kept fully informed and are satisfied with the hanging and display methods.
- Label(s) with details of the work(s) are provided by the Collection, together with acrylic label holders. Borrowers are expected to display these labels alongside their work(s) at all times throughout the loan period. If a label goes missing, borrowers must inform the Arts Council Collection and cover the cost of replacement.
- Borrowers are responsible for insuring the work from when it enters the building until it leaves.
- The Loans Coordinator will send through a copy of the loans agreement, containing updated valuations for the work(s) on an annual basis. Any changes in value must be reflected in the borrower's insurance cover.
- Borrowers will be invoiced annually for the loan fee at the same time.
- Borrowers are asked to return their annual loan agreements and proof of insurance cover promptly. Failure to do so may result in the removal of loans and additional fees for transport may be charged.
- If the individual responsible for the loan should leave the organisation, the Loans Coordinator should be informed as soon as possible. An alternative member of staff at the organisation must be appointed to undertake responsibilities with regard to care of the work(s) on loan and their contact details should be passed on to the Loans Coordinator.

## **Costs**

The borrower will be charged a fee per work. The fees are based on the value of the artwork(s) and the Arts Council Collection will advise on fees through the selection process. Payment must be cleared within four weeks of the works being installed at the venue. There will then be an annual fee for the duration of the loan, which is reduced by 50% if the loan is renewed after the initial five-year period.

## **Maintenance and Condition Checking**

Artworks on loan from the Arts Council Collection should be checked on a regular basis. If a work is damaged or deteriorating, borrowers should inform a member of the Arts Council Collection team immediately. The Collection will advise on what further action should be taken. Borrowers must not attempt to clean or dust Arts Council Collection works on long loan. Inappropriate cleaning fluids or cloths can cause damage to works and can scratch or smear glazed surfaces.

In accordance with the conditions of loan, the borrower is asked to carry out an annual condition check of works from the Arts Council Collection. As part of this check, the borrower is asked to inspect the works for signs of deterioration, damage or fading.

The borrower is expected to inform the Loans Coordinator, or another member of the Arts Council Collection team, once a condition check has been carried out. If there are any concerns arising from the condition check, the borrower should photograph the work(s) and contact a member of the Arts Council Collection team.

The borrower is not permitted to move a work. Movement of work for any reason must be carried out by a member of the Arts Council Collection team or approved technician.

## **Loss/Damage**

In the event of an emergency, be that flood, fire, theft or another situation in which a work is under threat of being damaged, the borrower should contact a member of the Arts Council Collection team immediately on +44 (0)20 7960 5218.

Borrowers should ensure that works are added to their salvage list or disaster plan as a priority item. Unless authorised by a member of the Arts Council Collection team, borrowers should not attempt to remove a work from its original setting. Much of the damage done to a work happens after an emergency situation is a result of poor object handling.

### **Exhibition Loans**

Should artworks on long loan be requested for exhibition loan, the exhibition loan request will take priority. The venue that has made the exhibition loan request will be responsible for arranging the collection, deinstallation, packing and transportation of the work(s) at a time/date agreed with the long loan venue. The exhibition venue will also arrange the return transport and installation of the work. If the work has been requested for a period of longer than six months, the Arts Council Collection will arrange a replacement work at no further cost to the long loan venue.

### **Health and Safety**

It is the responsibility of the venue to ensure all health and safety guidelines are met for the installation, duration and deinstallation of the loan. The Arts Council Collection will advise on specific installation/deinstallation implications on request.

### **Terminating the Loan**

The Arts Council Collection reserves the right to terminate the loan at any point during the loan process. Should the borrowing venue need to terminate the loan, Arts Council Collection requires three-months' notice.