

Arts Council Collection Collections Development Policy & Procedure

Name of museum: Arts Council Collection

Name of governing body: Arts Council England

Date on which this policy was approved by governing body: May 2017

Policy Review Procedure

The Collections Development Policy will be published and reviewed at least once every five years.

Date on which this policy is due for review: May 2019

Collections Development Policy

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 Information Policy, Collections Access Policy, Loan Policy, and Care and Conservation Policy

Arts Council England will be notified of any changes to the Collections Development Policy, and the implications of any such changes for the future of collections.

1 Relationship to Other Relevant Policies/Plans of the Organisation:

1.1 Statement of Purpose

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.

1.2 The governing body will ensure that both acquisition and disposal are carried out openly and transparently.

1.3 By definition, the Arts Council Collection has a long-term purpose and holds collections in trust for the benefit of the public as per its stated objectives. The governing body therefore accepts the principle that sound curatorial reasoning must be established before consideration is given to any acquisition to the Collection, or the disposal of any items in the Collection.

1.4 Acquisitions outside the current stated policy will only be made in exceptional circumstances.

1.5 The Arts Council Collection recognises its responsibility, when acquiring additions to its collections, to ensure that care of collections, documentation arrangements and use of collections will meet the

requirements of the Museum Accreditation Standard. This includes using SPECTRUM primary procedures for collections management. It will take into account limitations on collecting imposed by factors such as staffing, storage and care of collection arrangements. The Director of the Collection can veto a work being considered for acquisition on these grounds.

1.6 The Arts Council Collection will undertake due diligence and make every effort not to acquire, whether by purchase, gift, bequest or exchange, any object or specimen unless the governing body or responsible officer is satisfied that they can acquire a valid title to the item in question.

1.7 The Arts Council Collection will not undertake disposal where the principal motivation is financial.

2 History of the Collection

The Arts Council Collection began when the Arts Council of Great Britain was founded in 1946. It took over a small group of paintings from the Council for the Encouragement of Music and the Arts (CEMA) and its aim was to promote and encourage the appreciation of contemporary art through touring exhibitions.

The Collection has continued to grow, acquiring innovative works each year and circulating these as widely as possible. 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.

3 Overview of Current Collections

The Arts Council Collection supports artists in the UK through the purchase and display of their work. The collection operates as a 'museum without walls' and is the most widely circulated of all of Britain's national collections. Works can be viewed in exhibitions in museums and galleries across the UK and abroad and includes 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.

The current collection includes important, often early work by all of the

most influential British artists from the mid twentieth century to the present day, including: Henry Moore, Barbara Hepworth, Ben Nicholson, Francis Bacon, Lucien Freud, Victor Pasmore, David Hockney, Bridget Riley, Patrick Caulfield, Gilbert and George, Richard Hamilton, Richard Deacon, Antony Gormley, Mark Wallinger, Peter Doig, Damien Hirst, Rachel Whiteread, Chris Ofili, Steve McQueen, Mona Hatoum, Tracey Emin, Sarah Lucas, Grayson Perry, Glenn Brown, Jeremy Deller, Keith Coventry and Wolfgang Tillmans.

4 Themes and Priorities for Future Collecting

The Arts Council Collection is responsive to developments in contemporary art and through the acquisition process aims to represent them and to support emerging British artists.

Priorities for future collecting are steered by the Acquisitions Committee and the addition of new works responds to the Committee's expertise and knowledge.

From time to time, the Committee may consider work by more established artists should they be deemed a significant omission or a new strand of practice is evident and therefore worthy of further consideration.

Arts Council Collection acquisitions are for the benefit of the public through the Collection's function as a contemporary loan collection. Only the best work by post-war and contemporary artists working in the United Kingdom will be acquired. Members of the Acquisitions Committee have a responsibility to include within the range of purchases both the innovative and the progressive.

Acquisitions from emerging artists will be made only when they show definite qualities, and are recognised by members of the Committee, curators or other specialists in the field as works of significance and relevance.

Whilst practical considerations concerning the transport and storage of works will always be borne in mind, the Collection will make every effort to accommodate work which is physically complex and demanding. Where special equipment (e.g. A/V projectors, amplifiers etc.) is required to show a work of art, this must be paid for as part of the purchase price.

The Acquisitions Policy is executed on an 'equal opportunities' basis for all

visual artists, and consistent with the Arts Council's published policies on cultural diversity and on arts and disability. Committee members must consider a range of works for acquisition which reflects and supports the diversity of modern Britain.

There is a main fund for acquisition of £180,000 per year. £50,000 of the main fund is ring fenced by Arts Council England for regional acquisitions from artists outside London. On occasion, Arts Council England may allocate additional funds to the main acquisitions budget, but this is not guaranteed.

The Director of the Arts Council Collection may also seek additional funds to support acquisitions from established bodies, such as the Art Fund and the Henry Moore Foundation.

The Arts Council Collection welcomes offers of gifts from artists or through private estates and legacies, all of which are presented and approved through the Acquisitions Committee.

On occasion, the Acquisitions Committee will also be asked to provide advice and guidance on other aspects of the Collection's activities and policies, as directed by the Director of the Collection.

5 Themes and Priorities for Rationalisation and Disposal

5.1 Arts Council Collection does not intend to dispose of collections during the period covered by this policy. Disposals will only be undertaken for legal, safety or care and conservation reasons (e.g. spoliation, radiation, infestation, repatriation). On occasion, due to their composition, works in the Collection will degrade and may require conservation or be considered for disposal. Regular condition checks of works are conducted to monitor possible deterioration. The Arts Council Collection recognises that, should rationalisation and disposal be required, this will be organised using a formal review process that identifies which collections are included and excluded from the review. The outcome of any review and subsequent rationalisation will not reduce the quality or significance of the Collection and will result in a more useable, well managed collection.

6 Legal and Ethical Framework for Acquisition and Disposal of Items

6.1 The Arts Council Collection recognises its responsibility to work within the parameters of the Museum Association Code of Ethics when considering acquisition and disposal.

7 Collecting Policies of Other Museums

The Arts Council Collection will take account of the collecting policies of other museums and other organisations collecting in the same or related areas or subject fields. It will consult with these organisations where conflicts of interest may arise or to define specialisms in order to avoid unnecessary duplication and waste of resources.

Specific reference is made, but not limited, to the following museums:

- Tate Collection.
- British Council Collection.
- Government Art Collection.

And the Arts Council Collection National Partner Programme museums:

- Birmingham Museums.
- Walker Art Gallery, National Museums Liverpool.
- Towner Art Gallery.
- Yorkshire Sculpture Park.

8 Archival Holdings

The Arts Council Collection holds archives, including photographs and printed ephemera. It will be guided by the Code of Practice on Archives for Museums and Galleries in the United Kingdom (3rd ed., 2002).

9 Acquisition

9.1 The Policy for Agreeing Acquisitions

Acquisitions to the Collection may be made by purchase, gift or commission. All works proposed by the Acquisition Committee are researched by the Collection and discussed at bi-monthly acquisitions meetings. Artists may also apply to have their work purchased by the Collection by completing an Artist Application Form, after which they will be reviewed. Recommendations are then taken forward to the acquisitions

meetings and assessed according to the Acquisitions Policy.

9.2 Function of the Arts Council Collection Acquisitions

Acquisitions to the Collection enable the formation of touring exhibitions and loans to National Partner Programme museums and temporary exhibitions produced by other galleries (both nationally and internationally). They also enable the provision of long loans to galleries and other public access institutions in the UK. Acquisitions of emerging artists offer patronage, support and encouragement.

9.3 Criteria Governing Acquisitions

All decisions regarding acquisitions will take into account the remit and needs of the Collection, the condition of the work, and the costs of conserving and storing the work, as well as its value for money.

9.4 Composition of the Arts Council Collection Acquisitions Committee

The Committee of eight individuals, who sit for a fixed term of two years, is comprised of a chair appointed by Arts Council England, three externally recruited representatives, a representative from the National Partner Programme and three internal representatives.

External Representatives

Artist to offer peer endorsement and recommendations within and beyond established commercial gallery networks.

Curator to provide extensive knowledge of developments in contemporary visual arts practice, both on a national and international level.

Writer/Critic to contribute independent and scholarly expertise on the broader cultural and critical engagement of work and artists brought before the Acquisitions Committee.

National Partners Programme member to represent perspective of regional museums and Collection stakeholders (one year only).

Internal Representatives

Chair of the Committee is held by a member of the Arts Council England National Council to ensure that due process is followed and to report on the work of the Committee to the National Council.

Director, Visual Arts, Arts Council England, to act as a senior advocate and

advisor for the Arts Council Collection at a national level.

Director, Hayward Gallery, to act as senior advocate and advisor for the Acquisitions Committee at a national and international level.

Director of the Arts Council Collection to steer and develop the organisation's policies, and provide an overview on all aspects of acquisition for the Arts Council Collection.

9.5 The Arts Council Collection will not acquire any object or specimen unless it is satisfied that the object or specimen has not been acquired in, or exported from, its country of origin (or any intermediate country in which it may have been legally owned) in violation of that country's laws. (For the purposes of this paragraph 'country of origin' includes the United Kingdom).

9.6 In accordance with the provisions of the UNESCO 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, which the UK ratified with effect from 1 November 2002, and the Dealing in Cultural Objects (Offences) Act 2003, the Arts Council Collection will reject any items that have been illicitly traded. The governing body will be guided by the national guidance on the responsible acquisition of cultural property issued by the Department for Culture, Media and Sport in 2005.

10 Human Remains

10.1 As the Arts Council Collection holds or could acquire human remains under 100 years old, from time to time it will obtain the necessary licence under the Human Tissue Act 2004 and any subordinate legislation in force.

10.2 As the Arts Council Collection holds or may acquire human remains from any period, it will follow the procedures in the Guidance for the Care of Human Remains in Museums issued by the Department for Culture Media and Sport in 2005.

11 Biological and Geological Material

11.1 Biological and geological material may, on occasion, be incorporated into a work of art. So far as biological and geological material is concerned,

the Arts Council Collection will not acquire by any direct or indirect means any specimen that has been collected, sold or otherwise transferred in contravention of any national or international wildlife protection or natural history conservation law or treaty of the United Kingdom or any other country, except with the express consent of an appropriate outside authority.

12 Archaeological Material

12.1 Archaeological material may, on occasion be incorporated into a work of art. Arts Council Collection will not acquire archaeological material (including excavated ceramics) in any case where the governing body or responsible officer has any suspicion that the circumstances of their recovery involved a failure to follow the appropriate legal procedures.

13 Exceptions

13.1 Any exceptions to the above clauses will only be because the Arts Council Collection is acting with the permission of authorities with the requisite jurisdiction in the country of origin. In these cases, the Arts Council Collection will be open and transparent in the way it makes decisions and will act only with the express consent of an appropriate outside authority. The museum will document when these exceptions occur.

14 Spoliation

14.1 The Arts Council Collection will use Spoliation of Works of Art during the Holocaust and World War II Period: Statement of Principles and Proposed Actions, issued by the National Museum Directors' Conference in 1998, and report on them in accordance with these guidelines.

15 The Repatriation and Restitution of Objects and Human Remains

15.1 The Arts Council Collection, acting on the advice of professionals, may take a decision to return human remains (unless covered by the Guidance for the Care of Human Remains in Museums issued by the Department for Culture, Media and Sport in 2005), objects or specimens to a country or

people of origin. The Arts Council Collection will take such decisions on a case-by-case basis; within its legal position and taking into account all ethical implications and available guidance. This will mean that the procedures described in 16.1–6 will be followed, but the remaining procedures would not be appropriate.

15.2 The disposal of human remains from museums in England, Northern Ireland, Scotland and Wales will follow the procedures in the Guidance for the Care of Human Remains in Museums.

16 Disposal Procedures

16.1 The Disposal Committee, which includes representatives from the Arts Council Collection, the Acquisitions Committee and Arts Council England, will ensure that the disposal process is carried out openly and transparently.

16.2 Following conservation advice, recommendations for disposal are made by the Senior Curator (Longside) and the Collections Curator (London) to the Director of the Collection, who in turn reports to Arts Council England. Any recommendations will be discussed at the Acquisitions Committee meetings and then reported to the National Council by the Chair of the Committee.

16.3 By definition, the Arts Council Collection has a long-term purpose and holds collections in trust for society in relation to its stated objectives. The Disposal Committee therefore accepts the principle that sound curatorial reasons for disposal must be established before the disposal of any items in the Collection is considered.

16.4 All disposals will be undertaken with reference to the SPECTRUM primary procedures on disposal.

16.5 The Arts Council Collection will confirm that it is legally free to dispose of an item. Agreements on disposal made with donors will also be taken into account.

16.6 When disposal of a museum object is being considered, the Arts Council Collection will establish if it was acquired with the aid of an external funding organisation. In such cases, any conditions attached to the original grant will be followed. This may include repayment of the

original grant and a proportion of the proceeds, if the item is disposed of through sale.

16.6 Where there is uncertainty as to the Arts Council Collection's legal title in the work during the lifetime of the artist, this will be resolved with the artist through the Arts Council Collection and thereafter the estate. If these discussions lead to an agreement to deaccession the work, the matter will be brought to the attention of the Acquisitions Committee and the Chair will report to the National Council.

16.7 When disposal is motivated by curatorial reasons, the procedures outlined below will be followed and the method of disposal may be by gift, sale, exchange or, as a last resort, destruction.

16.8 The decision to dispose of material from the Collection will be taken by the governing body via the Acquisitions Committee only after full consideration of the reasons for disposal. Other factors will be considered, including public benefit, the implications for the Collection and collections held by museums and other organisations collecting the same material or in related fields. Expert advice will be obtained and the views of stakeholders, such as donors, researchers, local and source communities and others served by Arts Council Collection, will also be sought.

16.9 A decision to dispose of a specimen or object, whether by gift, exchange, sale or destruction (in the case of an item too badly damaged or deteriorated to be of any use for the purposes of the collections or for health and safety reasons), will be the responsibility of the governing body via the Acquisitions Committee, in certain cases acting on the advice of curatorial professionals, and not of the Collections Curator acting alone.

16.10 Once a decision to dispose of material in the Collection has been taken, priority will be given to retaining it within the public domain. It will therefore be offered, in the first instance, by gift or sale, directly to accredited museums likely to be interested in its acquisition.

16.11 If the material is not acquired by any accredited museum to which it was offered as a gift or for sale, then the museum community at large will be advised of the intention to dispose of the material normally through a notice on the Museums Association's 'Find an Object' web listing service, an announcement in the Museums Association's *Museums Journal* or in/on other specialist publications and websites.

16.12 The announcement relating to gift or sale will indicate the number and nature of specimens or objects involved, and the basis on which the material will be transferred to another institution. Preference will be given to expressions of interest from accredited museums. A period of at least two months will be allowed for an interest in acquiring the material to be expressed. At the end of this period, if no expressions of interest have been received, the Arts Council Collection may consider disposing of the material to other interested individuals and organisations, giving priority to organisations in the public domain.

16.13 Any monies received by the Arts Council Collection from the disposal of items will be applied solely and directly for the benefit of the collections. This normally means the purchase of further acquisitions. In exceptional cases, improvements relating to the care of collections in order to meet or exceed accreditation requirements relating to the risk of damage to and deterioration of the collections may be justifiable. Any monies received in compensation for the damage, loss or destruction of items will be applied in the same way. Advice on those cases where the monies are intended to be used for the care of collections will be sought from Arts Council England.

16.14 The proceeds of a given sale will be allocated so that they can be spent in a manner compatible with the requirements of the accreditation standard. Money must be restricted to the long-term sustainability, use and development of the Collection.

16.15 In accordance with SPECTRUM procedure on deaccession and disposal, full records will be kept of all decisions on disposals and the items involved and proper arrangements made for the preservation and/or transfer, as appropriate, of the documentation relating to the items in question, including photographic records, where practicable.

Disposal by Exchange

16.16 The nature of disposal by exchange means that the Arts Council Collection will not necessarily be in a position to exchange the material with an accredited museum. The governing body will therefore ensure that issues relating to accountability and impartiality are carefully considered to avoid undue influence on its decision-making process.

16.16.1 In cases where the governing body wishes for sound curatorial reasons to exchange material directly with accredited or non-accredited

museums, with other organisations or with individuals, the procedures in paragraphs 16.1–7 will apply.

16.16.2 If the proposed exchange is to be made with a specific accredited museum, other accredited museums which collect in the same or related areas will be directly notified of the proposal and their views on it will be requested.

16.16.3 If the exchange is proposed with a non-accredited museum, with another type of organisation or with an individual, the Arts Council Collection will place a notice on the Museums Association ‘Find an Object’ web listing service, or make an announcement in the Museums Association’s *Museums Journal* or in/on other specialist publications and websites.

16.16.4 Both the notification and announcement must provide information on the number and nature of the objects involved both in the Collection and those intended to be acquired in exchange. A period of at least two months must be allowed for comments to be received. At the end of this period, the governing body must consider the comments before a final decision on the exchange is made.

Disposal by Destruction

16.17 If it is not possible to dispose of an object through transfer or sale, the governing body may decide to destroy it.

16.18 It is acceptable to destroy material of low intrinsic significance where no alternative method of disposal can be found.

16.19 Destruction is also an acceptable method of disposal in cases where an object is in extremely poor condition, represents a serious health and safety risk or is part of an approved destructive testing request identified in an organisation’s research policy.

16.20 Where necessary, specialist advice will be sought to establish the appropriate method of destruction. Health-and-safety risk assessments will be carried out by trained staff where required.

16.21 The destruction of objects should be witnessed by an appropriate member of the Arts Council Collection workforce. In circumstances where this is not possible, e.g. in the case of the destruction of controlled

substances, a police certificate should be obtained and kept in the relevant object's documentation file.