

The Highland Council

Highland Museums

Highland Folk Museum

Inverness Museum and Art Gallery

Acquisition and Disposal Policy

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Acquisition and Disposal Policy

1. Introduction

- 1.1. This is the Policy Statement regulating the acquisition of items for the collections of Highland Museums. The adoption and implementation of such a policy by The Highland Council is a requirement of the MLA Accreditation Scheme for Museums in the UK.
- 1.2. This represents the aims and plans of The Highland Council at the time of its adoption in November 2007 and, as such, will be subject to revision as the museums develop. It is intended that this policy should be reconsidered at least once every five years, and no later than November 2012, and a revised statement brought before The Highland Council for its agreement. The Scottish Museums Council will be notified of any changes to the Acquisition and Disposal Policy and the implications of such changes for the future of existing collections.
- 1.3. This Policy Statement supersedes all previous and existing practices and policies, formal or informal, relating to the acquisition of items for the collections of the museums.
- 1.4. The Highland Council collections consist of the collections held by The Highland Folk Museum and Inverness Museum and Art Gallery (“Highland Museums” or “the museums”) and in storage in Caithness. The collections form a unique resource and they are fundamental to the realisation of Highland Museums’ vision, which is “to provide a welcoming museums service that provides inspiration, learning and enjoyment for all”. The Highland Council collections cover the following areas of interest: Natural Sciences, Human History, Fine and Applied Art, Photographs, Museum Archives. See Appendix 1 for definitions and Appendix 2 for a detailed description of the museums’ collections and aspirations.
 - 1.4.1. The collections at the Highland Folk Museum mainly reflect the social and rural life of the Scottish Highlands. The museum, acknowledged as Britain’s first open air museum, was opened in Kingussie in 1944 by I. F Grant. Prior to this, the collections had two homes since 1935 on Iona and at Laggan. This museum is one institution on two sites, three miles apart at Kingussie and Newtonmore. The principal collections are kept at Kingussie, where they are stored, managed, displayed and interpreted. The collection of buildings and building parts is mainly stored and displayed at Newtonmore. At Newtonmore, an eighty acre open air museum, the emphasis is on unaccessioned working collections, and the live interpretation of them. The Highland Council has taken the decision to combine the two parts of the Highland Folk Museum on the Newtonmore site.
 - 1.4.2. Inverness Museum and Art Gallery was opened with the Inverness Fine Arts Exhibition in 1881, and it re-opened on a permanent basis the following year. It incorporated some of the collections which had been assembled by the Northern Institution for the Promotion of Science and Literature between 1825 and 1834. It was run as a museum of ‘Highland and Jacobite history’ in the first half of the 20th century and now collects and displays the natural and human history of Inverness and the Highlands, and fine and applied art. The collections are kept in the museum, at an off-site laboratory/store at Kilvean Cemetery and in off-site storage at the Library Support Unit and Castle Wynd.

- 1.5. The museums will continue to collect in all the themes listed in Appendix 2, to build on strengths, fill gaps, and avoid duplication. The exceptions to this are biological records and foreign ethnography, which will not be collected.
- 1.6. For new accessions to the collections, the museums will place objects in the location or institution deemed to be best in terms of public benefit and collection management, while taking donors' wishes into account.

2. General Rules for Acquisition

- 2.1. The museums recognise their responsibility, in making new acquisitions, to ensure that care, documentation and use of the collections will meet the Accreditation Standard. Accordingly, they will consider limitations on collecting imposed by factors such as inadequate staffing, storage and care of collections arrangements. Where the acquisition of any item would result in significant financial implications, the matter will be referred to The Highland Council for decision.
- 2.2. The museums will exercise 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 the museums can acquire valid title to the item in question.
- 2.3. In particular, the museums will not acquire any object or specimen unless they are 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.
- 2.4. 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 November 1 2002, and the Dealing in Cultural Objects (Offences) Act 2003, the museums 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 DCMS in 2005.
- 2.5. So far as biological and geological material is concerned, the museums 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.
- 2.6. Under the legal principles of Treasure Trove and *bona vacantia*, the discovery of antiquities in Scotland is a matter for report to the Crown. Scottish archaeological material will therefore not be acquired by any means other than allocation to the museums by the Crown, normally on the advice of the Scottish Archaeological Finds Allocation Panel (SAFAP), unless the Principal Museums Officer, acting on The Highland Council's behalf, is satisfied that valid title to the item in question can be acquired, such as by certificate of 'No Claim' from the Scottish Archaeological Finds Allocation Panel Secretariat.

- 2.7. The only exceptions to the above General Rules – 2.2, 2.3, 2.4, 2.6 – will be in specific circumstances where the museums are either:
- acting as an externally approved repository of last resort for material from the UK; or
 - acquiring an item of minor importance that lacks secure ownership history but in the best judgement of experts in the field concerned has not been illicitly traded; or
 - acting with the permission of authorities with the requisite jurisdiction in the country of origin; or
 - in possession of reliable documentary evidence that the item was exported from its country of origin before 1970.

In these cases the museums will be open and transparent in the way they make decisions and will act only with the permission of an appropriate outside authority.

- 2.8. The museum will use the statement of principles ‘Spoliation of Works of Art during the Nazi, Holocaust and World War II period’, issued for non-national museums in 1999 by the Museums and Galleries Commission.

3. Collecting Procedures – including gifts and loans

- 3.1. The Principal Museums Officer, as The Highland Council’s senior museum professional, will normally have delegated authority and responsibility for the acceptance or rejection of potential gifts or bequests to the museums, for soliciting gifts of material for the collections within the terms of this policy, and for making recommendations and taking action on the purchase of material in accordance with this Policy and within The Highland Council’s normal standing orders.
- 3.2. Items offered to the museum as gifts or bequests will not normally be accepted if they are subject to any restrictive covenant or special conditions, such as that they be displayed in a particular way. In exceptional circumstances, if the Principal Museums Officer feels that the item(s) in question are of over-riding importance, The Highland Council may be asked to approve the acquisition of a specific item to which conditions are attached. A general exception to this rule will be deemed to exist in respect of restrictive covenants or conditions intended only to assure the permanent protection of the item concerned in the museums’ collections, such as restrictions placed on any legal powers of disposal that the museum may have; under such circumstances, the Principal Museums Officer may reasonably recommend that The Highland Council accept the gift or bequest in question.
- 3.3. The acceptance of items, on loan, normally for a finite period for display or specific study, may be authorised by the Principal Museums Officer, acting on The Highland Council’s behalf. In exceptional cases, a privately owned item of major importance that falls within the scope of this Policy may be accepted on a finite long loan, whether or not it is required for immediate display or study. No item will be received on ‘permanent loan’, a term which has no legal status. The period of all loans will normally be agreed in writing between the Principal Museums Officer and the owner of the item at the time of deposit. Where the term of a loan has expired, it may be renewed or extended for further finite periods, at the discretion of both the owner and the Principal Museums Officer.

4. Collecting Area

- 4.1. The collecting area for the museums will be the area governed by The Highland Council.
- 4.2. The period of time to which the collections relate will be from the earliest time represented in the geology of the Highlands to the present day.
- 4.3. The museums will take account of the collecting policies of other museums and other organisations collecting in the same or related areas or subject fields. They will consult with these organisations where conflicts of interest may arise or to define areas of specialisms, in order to avoid unnecessary duplication and waste of resources.

Specific reference is made to the following museums:

- Registered and Accredited independent museums in The Highland Council area
 - Glasgow City Museums
 - Museum nan Eilean
 - National Museums, Scotland
 - The Regimental Museum of the Queen's Own Highlanders
- 4.4. Items made in, at some point used within, or otherwise provenanced to the museums' collecting area, may be acquired, regardless of their location at the time of acquisition. Where this involves the collection of items from a place within the geographical sphere of influence of another museum, a principle of open actions and good communication will apply.
 - 4.5. In an emergency, and to ensure the preservation locally and in public ownership of important material, the Principal Museums Officer is exceptionally authorised to collect material from outside the museums' stated collecting area, relating to those parts of the geographical Highlands not yet covered by any museum service. Such material is acquired on the understanding that it may be transferred to other museums at a future time.
 - 4.6. Where the museums seek to collect the work of "local" artists, or to acquire "local" views, the area defined at 4.1 and 4.2 above will normally be used as the basis for decisions.
 - 4.7. Acquisitions outside the current stated policy will only be made in very exceptional circumstances, and then only after proper consideration by the governing body of the museums themselves, having regard to the interests of other museums.

5. Disposal – General Principle

- 5.1. By definition, the museums have a long-term purpose and should possess (or intend to acquire) permanent collections in relation to their stated objectives. The governing body accepts the principle that, except for sound curatorial reasons, there is a strong presumption against the disposal of any items in the museums' collection.

6. Reasons for Disposal

- 6.1. To remove from the collections any item which is too badly damaged or deteriorated to be of any further use for the purposes of the museums.
- 6.2. To improve the curatorial care of the collections by the disposal of duplicate or unprovenanced material of low intrinsic relevance to the Acquisition Policy
- 6.3. To transfer to the ownership of another Accredited museum any item which, by reasons of changes in public, social or educational need, administrative responsibility, development priorities, or the establishment of a new Accredited museum, the Principal Museums Officer advises The Highland Council would be more appropriately placed elsewhere.

7. Authority for Disposal

- 7.1. No museum item may be disposed of without the specific authority of The Highland Council, through the acceptance of a minute of the Education, Culture and Sport Committee. Such a decision will be the responsibility of the members of the Committee, acting on the advice of their Principal Museums Officer and not of the Principal Museum Officer or any person acting alone.
- 7.2. The museums will establish that they are legally free to dispose of an item. Any decision to dispose of material from the collections will be taken only after due consideration.
- 7.3. Decisions to dispose of items will not be made with the principal aim of generating funds.
- 7.4. If the disposal of a quantity of similar material is proposed, The Highland Council may, however, give the Principal Museums Officer delegated authority to act in the specific, once a general principle has been approved.
- 7.5. Where recommendations concerning the disposal of museum items are to be made, it is understood that there will need to be certain preliminary investigations before a report can usefully be brought before The Highland Council. This may include such matters as obtaining valuations, seeking the views of donors, and contacts with other Accredited museums which may be interested in accepting transfers. Within the terms of this policy, it is understood that the Principal Museums Officer has authority to act in this way, without prejudice to The Highland Council's eventual decision.

8. Disposal of Purchases, Gifts and Bequests

- 8.1. When disposal of a museum object is being considered, the museum 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.
- 8.2. Items given or bequeathed will not normally be disposed of without prior consultation with the original donors or their families within the first generation, and wherever possible their approval should be obtained to the course of action proposed. This is, however, a matter of courtesy rather than a legal requirement. The Principal Museums Officer should be entitled to waive this requirement where

all reasonable efforts to trace a donor have failed, and additionally where no