



Policy for the Acquisition of items by auction or other purchase

*(This policy also applies to unsolicited donations that
come as part of a package)*

January 2014

Due for Review: January 2019

1. INTRODUCTION

This is a Policy regulating the acquisition and disposal of items which are purchased through auction (or elsewhere) or which come to the Deaf Museum & Archive as part of a package. The adoption and implementation of such a policy is a requirement of the Accreditation Scheme for Museums and Galleries in the United Kingdom which is administered in England by the Arts Council England.

2. PURPOSE

This policy sets out a framework for responsible and ethical acquisition through purchase and/or unsolicited donations forming part of a package and disposal of material which form part of the packages.

The acquisition, management and disposal of the collections will be guided by:

- The constitution and statement of purpose of the Deaf Museum and Archive
- The legal basis on which the collections are held
- The public benefit derived from the effective use and management of the collection
- An assessment of the needs of the collections
- The collections held by other museums, archives and relevant organisations collecting in the same or related fields

Explanation of “package” acquisitions: Sometimes items offered for auction or which come to the Deaf Museum & Archive comprise of items that have no relevance to deafness but which cannot be separated from the items which ARE of relevance to deafness and the museum’s objectives. Examples are paintings or items that may be offered as part of a group of similar items but not all of which may be relevant to the objectives of the museum.

3. OBJECTIVES OF AUCTION BIDDING OR OTHER FORMS OF PURCHASE

3.1 *Museum’s objectives*

We develop our collections to support and celebrate the achievements and diversity of the Deaf community and promote the values of Deaf people throughout Britain. These include acquisitions of Deaf Art which preserve and illustrate the uniqueness of the work of Deaf artists which we accessible for everyone to enjoy.

3.2 *Key aims*

The British Deaf History Society is responsible for managing the Deaf Museum and Archive Collections. The Society supports the Museum’s mission and contributes to its strategic priorities by recommending and implementing strategy, policies and procedures in relation to specific purchase of items which may come up for auction or sale elsewhere, such acquisitions being made to enhance the Museum Collections and preserve for the Community for future generations to enjoy.

3.3 Objectives of the Collections Development Policy

This policy provides a framework of responsibilities and accountabilities to govern the acquisition and disposal of auction items that may fall within the scope of the Deaf Museum and Archive collections. The content and provisions of the policy have been developed to meet the requirements of the Accreditation Scheme for Museums and Galleries in the United Kingdom Template Collections Development Policy, December 2011.

4. SCOPE

This policy applies to any item that may be offered for sale at auction

4.1 An overview of current collections

The collections consist of museum objects and archives in all formats and media.

The Art Collection includes paintings and/or drawings/etchings done by Deaf artists in history. From time to time, there may be on loan from other museum or galleries contemporary works by Deaf artists and commissioned for display in the Deaf Museum and Archive. Also, on loan to the Deaf Museum and Archive are works owned by the British Deaf Association and other national Deaf organisations which are displayed for the enjoyment and learning of Deaf people in Britain and of the wider public.

The Archive Collection includes records of international, national, UK regional, local and private Deaf organisations, Deaf schools, personal records of Deaf individuals and collections of research papers or documents which are kept for the purpose of any research undertaken by visiting researchers.

The Object Collection comprises material relating to the history of the Deaf community, Deaf people, their culture and language and activities associated with it. Much of the collection has been acquired by accumulation from Deaf community organisations, schools, professional service organisations, and numerous Deaf individuals.

A large part of the Object Collection comprises technical and environmental aids developed for Deaf people over the past 150 years. These include devices to test and improve the hearing of deaf people, telecommunication devices, aids designed to assist in the home such as fire and baby alarms and help deaf people to enjoy television through subtitling and other technological devices.

The Textile Collection comprises of school uniforms, sports outfits worn by Great Britain and other national teams in sports competitions or tournaments throughout the world, including in the Deaflympics.

The Research Library is the largest Deaf history library collection outside London and second only to the RNID Library maintained by the Action on Hearing Loss organisation.

The Photographic Archive comprises of thousands of photographs commemorating Deaf lives from 1850 onwards. This is currently a work in progress.

4.2 Themes and priorities for future collecting

The Deaf Museum and Archive will collect objects, works of art and archives in all formats and media. The criteria which govern collection are summarised as follows:

- the British Deaf History Society: historical and contemporary material to ensure that our corporate memory appropriately reflects our history, our current mission, our strategic plans and priorities and the experiences and achievements of our staff and members
- Community heritage: the history of the deaf community throughout Britain, including national Deaf organisations such as the British Deaf Association, and local Deaf organisations such as, to give one example, Manchester Deaf Centre
- Individual Deaf people: their personal papers and documents.
- Textile heritage: reflecting the Deaf community's school and sportswear
- Works of art, with emphasis on Deaf artists of yesteryear
- Library collections, particularly Deaf magazines such as the *British Deaf News*
- Research papers
- Old photographs

4.3 Themes and priorities for rationalisation and disposal

By definition the Deaf Museum and Archive has a long-term purpose and possesses permanent collections in relation to its stated objectives. The British Deaf History Society accepts the principle that, except for sound curatorial reasons, there is a strong presumption against the disposal of any items in the Deaf Museum and Archive collection.

However, responsible, curatorially-motivated disposal may take place as part of a programme of review and rationalisation in order to increase public benefit derived from the collections. In such cases the Deaf Museum and Archive will abide by clauses 7.5 (e) and 7.5 (f) of this policy.

Such disposal may take place:

To remove from the collections any item that is too badly damaged or deteriorated to be of any further use for the purposes of the Deaf Museum and Archive.

To improve the curatorial care of the collections by the disposal of duplicate or unprovenanced material of low intrinsic relevance to the Collections Development Policy.

To transfer to the ownership of another accredited museum or archive any item which, by reasons of changes in public, social or educational need, administrative function.

To transfer to the ownership of another accredited museum or archive 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 or archive, the Curator advises would be more appropriately placed elsewhere.

4.4 Limitations on collecting

The museum recognises its responsibility, in acquiring additions to its collections, to ensure that care of collections, documentation arrangements and use of collections will meet the requirements of the Accreditation Standard. It will take into account limitations on collecting imposed by such factors as staffing, storage and care of collection arrangements.

4.5 *Collecting policies of other museums*

The museum 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 areas of specialism, in order to avoid unnecessary duplication and waste of resources.

4.6 *Policy review procedure*

The acquisition and disposal policy will be published and reviewed from time to time, at least once every five years. The date when the policy is next due for review is noted on the cover page.

The Arts Council will be notified of any changes to the acquisition and disposal policy, and the implications of any such changes for the future of existing collections.

4.7 *Acquisitions not covered by the policy*

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 museum itself, having regard to the interests of other museums.

5. LINES OF RESPONSIBILITY

The British Deaf History, as the Governing Body, has overall responsibility for the stewardship of the collections.

The BDHS has delegated authority to the Curator to have oversight of the Deaf Museum and Archive collections; to approve any acquisitions with significant resource implications and any proposed disposal of items from the collections; and to review and oversee the work of the Curatorial team to preserve, promote access to and develop the collections

The Curatorial Team reports to the Curator and recommends strategy and policy, in order to preserve, promote access to and develop the museum and archive collections.

The Curator is the professional or experienced officer responsible for the operation of The Deaf Museum and Archive and the management of the BDHS Collections according to appropriate professional standards. This officer is responsible for recommending policy and strategy for the BDHS Collections to the Board of Trustees.

The Curator is responsible for recommending potential acquisitions and disposals to the Museum Sub-Committee, for delegated approval or escalation as appropriate, and for implementing the acquisition and disposal procedures.

6. MONITORING AND EVALUATION

6.1 The Curator will make regular line management reports to the BDHS Board of Trustees on the management and development of the Collections.

6.2 The Curatorial Team will maintain a permanent record of items accessioned into or disposed from Collections and will report annually to the Curator and thence to the BDHS Trustees on objects and archives accessioned into the collections and any items recommended for disposal.

- 6.3** The Curatorial Team will set up a Digital Preservation Group to oversee the implementation of a digital preservation strategy and programme for the BDHS's electronic archives (MODES).
- 6.4** The Curator will make an annual Accreditation return as required to the Arts Council, providing evidence of compliance with the Accreditation Standard.

7. IMPLEMENTATION

7.1 Acquisition procedures

a. The museum 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 museum can acquire a valid title to the item in question.

b. In particular, the museum 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).

c. 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, the museum 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, as subsequently updated.

d. The museum will not acquire any biological or geological material.

e. The museum will not acquire any archaeological material.

f. Any exceptions to the above clauses 7.1a, 7.1b, 7.1c, or 7.1e will only be because the museum is:

- acting as an externally approved repository of last resort for material of local (UK) origin
- 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
- acting with the permission of authorities with the requisite jurisdiction in the country of origin
- in possession of reliable documentary evidence that the item was exported from its country of origin before 1970

In these cases the museum will be open and transparent in the way it makes decisions and will act only with the express consent of an appropriate outside authority.

g. The museum does not hold or intend to acquire any human remains.

7.2 Spoliation

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.

7.3 *The Repatriation and Restitution of objects*

The museum's governing body, acting on the advice of the museum's professional staff, may take a decision to return objects or specimens to a country or people of origin. The museum 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 7.5a-7.5d, 7.5g below will be followed but the remaining procedures are not appropriate.

7.4 *Management of archives*

As the museum holds archives, including photographs and printed ephemera, its governing body will be guided by the Code of Practice on Archives for Museums and Galleries in the United Kingdom (third edition, 2002 and subsequent updates).

7.5 *Disposal procedures*

Disposal preliminaries

- a. The governing body will ensure that the disposal process is carried out openly and with transparency.
- b. By definition, the museum has a long-term purpose and holds collections in trust for society in relation to its stated objectives. The governing body therefore accepts the principle that sound curatorial reasons for disposal must be established before consideration is given to the disposal of any items in the museum's collection.
- c. The museum will confirm that it is legally free to dispose of an item and agreements on disposal made with donors will be taken into account.
- d. 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 and a proportion of the proceeds if the item is disposed of by sale.

Motivation for disposal and method of disposal

- a. When disposal is motivated by curatorial reasons the procedures outlined in paragraphs 7.5g-7.5m will be followed and the method of disposal may be by gift, sale or exchange.
- b. In exceptional cases, the disposal may be motivated principally by financial reasons. The method of disposal will therefore be by sale and the procedures outlined below in paragraphs 7.5g-7.5 will be followed. In cases where disposal is motivated by financial reasons, the governing body will not undertake disposal unless it can be demonstrated that all the following exceptional circumstances are met in full:
 - the disposal will significantly improve the long-term public benefit derived from the remaining collection

- the disposal will not be undertaken to generate short-term revenue, for example to meet a budget deficit.
- the disposal will be undertaken as a last resort after other sources of funding have been thoroughly explored

The disposal decision-making process

- c. Whether the disposal is motivated either by curatorial or financial reasons, the decision to dispose of material from the collections will be taken by the Curator only after full consideration of the reasons for disposal. Other factors including the public benefit, the implications for the museum's collections and collections held by museums and other organisations collecting the same material or in related fields will be considered. External expert advice will be obtained and the views of stakeholders such as donors, researchers, local and source communities and others served by the museum will also be sought.

Responsibility for disposal decision-making

- d. 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 reasons of health and safety), will be the responsibility of the Curator of the museum acting on the advice of professional curatorial staff, if any whether attached to the museum or as consultants, and not of the curator of the collection acting alone.

Use of proceeds of sale

- e. Any monies received by the museum governing body from the disposal of items will be applied 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 the Arts Council
- f. The proceeds of a sale will be ring-fenced so it can be demonstrated that they are spent in a manner compatible with the requirements of the Accreditation standard.

Disposal by gift or sale

- g. Once a decision to dispose of material in the collection has been taken, priority will be given to retaining it within the public domain, unless it is to be destroyed. It will therefore be offered in the first instance, by gift or sale, directly to other Accredited Museums likely to be interested in its acquisition.
- h. If the material is not acquired by any Accredited Museums to which it was offered directly 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 an announcement in the Museums Association's Museums Journal, and in other specialist journals where appropriate.

- i 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 other 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 museum may consider disposing of the material to other interested individuals and organisations giving priority to organisations in the public domain.

- j It may be that an item requiring disposal is not regarded as an item that would normally be kept by another Accredited Museum, in which case the museum may - with Board of Trustees approval - offer the item to be disposed of for sale by any means necessary, including over the Internet.

Disposal by exchange

- l The museum will not dispose of items by exchange.

Documenting disposal

- m. 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 concerned, including photographic records where practicable in accordance with SPECTRUM Procedure on deaccession and disposal.