

# **Penrith and Eden Museum**

## **Acquisition and Disposal Policy**

### **Background to the policy**

This policy sets out the principles that will provide the governing bodies and staff of museums with a framework for the scrupulous and ethical acquisition and disposal of collections using clear procedures and decision-making processes common to UK museums in the Accreditation Scheme.

Implementing the policy will enable museums to demonstrate the public benefit in their actions relating to the acquisition and disposal of collections. It provides a basis for open and transparent decision-making and an informed dialogue between governing bodies, donors, funding bodies and other stakeholders.

This policy applies to:

- material which the museum owns or to which it intends to acquire legal title;
- material which the museum owns and has accessioned into the collection or intends to own and accession into the collection.

The acquisition, management and disposal of collections will flow from:

- a museum's constitution and statement of purpose;
- the legal basis on which the collections are held;
- the public benefit derived from the effective use and management of the collections;
- an assessment of the needs of the museum's collections;
- the collections held by other museums and organisations collecting in the same or related geographic areas or subject fields.

Financially motivated disposal risks damaging public confidence in museums and the principle that collections should not normally be regarded as financially negotiable assets (Museums Association Code of Ethics, 2008, paragraph 6.13).

## **Acquisition and Disposal Policy**

### **Name of museum**

Penrith and Eden Museum

### **Name of governing body**

Eden District Council

### **Date on which this policy was approved by governing body**

19 February 2009

### **Date at which this policy is due for review**

February 2013

## **1. Museum's statement of purpose**

The following mission statement was adopted by Eden District Council in 1993.

“Penrith Museum exists to collect, preserve, display and interpret material relating to the cultural and social history, archaeology and geology of Penrith and the Eden District. It aims to provide a programme of exhibitions, research, publications and events relevant to its collections to as wide a public as possible within available resources”.

## **2. Existing collections, including the subjects or themes and the periods of time and/or geographic areas to which the collections relate**

The strengths of the museum in terms of collections are set out below:

### **International/national dimensions**

In the fine and decorative arts the museum has some material of national and wider importance. This comprises: the Dutch masters Wouwermans, Brouwer, Teniers the Younger and Heemskerck; the Italian master Gaetano Gandolfi; Oriental material - a wide range of bronzes, ceramics and decorative items currently on long term loan to the Oriental Museum at Durham University. There is also work by Hoppner, Griset, Ward Binks and by School of Lely.

### **National/local dimensions**

Falling into the category of national importance as well as locally significant are key works by the artist Jacob Thompson of Penrith whose paintings are of growing interest. There are works by distinguished contemporary local artists eg Alan Stones and Lorna Graves and a wide range of prints of views in the locality by artists of repute eg Turner, T H Fielding, Farrington, William Green, Knyff, William Bellers, James Clarke, Stubbs and the Buck brothers. There is some important nationally significant archaeological material, especially prehistoric rock art and Neolithic artefacts, and Roman finds from Borrowbridge, Brougham and Plumpton Roman forts.

### **Regional/local dimensions**

These collections are a unique and substantial profile of the cultural history of Penrith and the Eden Valley, augmented by archives including an outstanding collection of photographs of the area. They have been substantially increased by acquisition over the past twelve years. Databases and documentary resources highlight their importance. They are categorised as follows:

#### **Art**

Paintings by Jacob Thompson; John Thompson of Penrith; Edward Hopley watercolours, oil paintings and artist's archive; Fred Lawson; Emma Watson; Lorna Graves; Alan Stones.

#### **Archaeology**

Stone and Bronze Age; representative collection of Neolithic axes, flint arrowheads; microliths, three rare and important examples of local rock art.

Roman occupation - finds including querns and millstones, pottery and coins, oil lamps and various artefacts predominantly from Roman forts at Brougham, Borrowbridge and Plumpton.

Records of local excavations deposited by Archaeological Units (eg Carlisle, Lancaster, Edinburgh, Bradford).

### **Medieval**

Penrith town seal; mediaeval coins; chalice and paten; halberd; bronze cauldron and tripod ewer; glazed cistern; Bellarmine jugs; carved stone head; stone cross shaft socket.

### **Social History**

Artefacts from Penrith and Eden mainly pertaining to trades and occupations (eg brewing) - notices, bottles, photographs, bill heads: large collection wooden pattens, documents and photographs from Stalkers Castlegate iron foundry: clocks, including Porthouse of Penrith: tailoring - tailor's tools and requisites: military and other uniforms including medals eg Westmorland and Cumberland Yeomanry and Inglewood Rifles: Penrith Town Band and Eden Valley Band of Hope uniforms and regalia: medals of Penrith Crimean hero Trooper Pearson and other Pearson memorabilia: William Jameson wrestling trophies: Wetheriggs and other potteries, including commemorative and souvenir wares: items relating to school education, including attendance medals and toys: railway memorabilia.

The markets - measures, seals, multure dishes, town crier's bells.

Civil law, order and administration - key and handcuffs from Penrith Gaol, policing material from former County Constabulary Museum at Carleton Hall, Lord Whitelaw memorabilia, Percy Toplis monocle and other associated items, civil defence and home guard material.

Domestic items - including lighting, cookware, clogs and other items of dress.

### **Photographs**

Over 1200 prints, negatives and glass plates of local views.

### **Archives**

Wideranging collection of written and printed documents relating to items in the collection and aspects of the history of Penrith and Eden. Important documents relating to the Jacobite Rebellion, Musgraves of Edenhall estate papers, a wealth of trade bill heads, minute books of Penrith Scientific and Literary Society, PUDC and other Council papers, wartime memorabilia, map collection, charity papers.

### **Geology and Natural history**

Significant collections of local minerals, rocks and fossils. Herbaria and insect collections.

## **3. Criteria governing future acquisition policy including the subjects or themes, periods of time and/or geographic areas and any collections which will not be subject to further acquisition.**

General criteria:

- To collect, preserve, display and interpret objects of historical, environmental or cultural interest relating to Penrith and the Eden District together with supporting information such as documents, maps, photographs etc.

- To act as a centre for the study of such objects and material by providing exhibitions, events, information and educational facilities for local residents and school children as well as visitors to the area.
- To increase and deepen public understanding of the historical development of the town of Penrith and the area administered by Eden District Council and to promote the appreciation of its landscape, history, culture and economic heritage within available resources.

Specific criteria:

- To acquire local human history material from all periods of time, together with associated documentary or other evidence, relating to the people of Penrith and the Eden District, and to their social and economic history - for display, research, reference and educational purposes.
- To acquire small quantities of non-local human history material for comparative purposes, where similar material exists locally, or where it complements or fills gaps in the existing collections.
- To acquire fine or decorative art objects from all periods of time where the artist/producer has close connections with, or where the subject matter relates to Penrith or the Eden District - for display, research, reference and educational purposes.
- To acquire local geological specimens and associated documentary or other evidence, with due regard to conservation interests, for display, research, reference and educational purposes. The specimens and material will concern:
  - The geological history, stratigraphy and structure of the Eden District
  - Evidence of former life (fossils) from the Eden District
  - The mineralization of the Eden District (minerals and mineral suites)
  - The mining and other economic geological resources of the Eden District (iron ore, base metal ores, spar minerals, sands and gravels, building stones, roadstones, clays, limestone, gypsum and anhydrite).
- To acquire small quantities of geological material whether local or non-local where the collector has close associations with Penrith or the Eden District.
- To develop separate schools/community handling collections that complements the topics offered in schools' workshops and community outreach sessions.
- The Museum will not seek to acquire Botanical or Zoological specimens, except for certain specimens relating to and complementing the existing collections and displays.

#### **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.

## **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 specialisms, in order to avoid unnecessary duplication and waste of resources.

Specific reference is made to the following museum(s):

- Tullie House Museum and Art Gallery, Carlisle
- Kendal Museum
- Keswick Museum

## **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 above.

The Regional MLA or its successor body 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.

## **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.

## **8. 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, and the Dealing in Cultural Objects (Offences) Act 2003, 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.
- d. So far as biological and geological material is concerned, the museum 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.

- e. The museum will not acquire archaeological antiquities (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.

In England, Northern Ireland and Wales the procedures include reporting finds to the landowner or occupier of the land and to the proper authorities in the case of possible treasure as defined by the Treasure Act 1996.

- f. Any exceptions to the above clauses 8a, 8b, 8c, 8d or 8e will only be because the museum is either:

- acting as an externally approved repository of last resort for material of local (UK) origin; 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 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. As the museum 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 DCMS in 2005.

## **9. 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.

## **10. The Repatriation and Restitution of objects and human remains**

The museum’s governing body, acting on the advice of the museum’s professional staff, if any, may take a decision to return human remains (unless covered by the “Guidance for the care of human remains in museums” issued by DCMS in 2005), 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 12a-12d, 12g and 12o below will be followed but the remaining procedures are not appropriate.

The disposal of human remains from museums in England, Northern Ireland and Wales will follow the procedures in the “Guidance for the care of human remains in museums”.

## **11. 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 (3rd ed., 2002).

## **12. 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

- e. When disposal is motivated by curatorial reasons the procedures outlined in paragraphs 12g-12o will be followed and the method of disposal may be by gift, sale or exchange.
- f. The museum will not undertake disposal motivated principally by financial reasons.

The disposal decision-making process

- g. 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 governing body 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

- h. 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 governing body of the museum acting on the advice of professional curatorial staff, if any, and not of the curator of the collection acting alone.

#### Use of proceeds of sale

- i. 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 MLA.
- j. 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

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

#### Documenting disposal

- o. 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.

# Museum Accreditation Scheme

Penrith and Eden Museum

Accreditation Application Form: Section 4.1.

**Signed and Dated Approval of the Museum’s Acquisition and Disposal Policy**

I approve this policy document on behalf of Eden District Council

Name (block capitals)

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Position

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Signature

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Date

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