

**Name of museum:** Sainsbury Centre for Visual Arts

**Name of governing body:** University of East Anglia

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

**Date at which this policy is due for review:** July 2022

**Policy review procedure:**

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

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. The museum's statement of purpose is:**

The Sainsbury Centre is one of the most prominent university art galleries in Britain, and a major national centre for the study and presentation of art. The Sainsbury Centre for Visual Arts seeks to be one of the world's leading centres for the study and display of art and design.

This Collections Development Policy provides an overview of the collections held by the Sainsbury Centre for Visual Arts (SCVA). It describes the rationale for future collection building and sets out the institution's legal and ethical framework on decisions concerning acquisitions or deaccessioning. The management of the SCVA collections, in terms of their development, research, interpretation, enjoyment and care is a key element of the institutions strategic mission.

The cultural value of the collections is increased by their judicious development (in scope, depth and quality) so that they continue to engage, inspire, excite and inform visitors and other users of the SCVA.

This Policy demonstrates that the SCVA and the governing body, University of East Anglia (UEA), are aware that they hold the collections in the public domain, and acknowledge their long term obligations as stewards of the collections.

This Policy is framed to comply with the requirements of the Accreditation Scheme for Museums and Galleries in the United Kingdom (2011). It reviews the present state and use of the collections, ensures that all acquisition and disposal decisions are made according to a formally approved and recognised strategy and serves as a reference document to guide curatorial decisions.

### **1.2. The University will ensure that both acquisition and disposal are carried out openly and with transparency.**

- 1.3. By definition, the museum has a long-term purpose and holds collections in trust for the benefit of the public in relation to its stated objectives. The University therefore accepts the principle that sound curatorial reasons must be established before consideration is given to any acquisition to the collection, or the disposal of any items in the museum's collection.
- 1.4. Acquisitions outside the current stated policy will only be made in exceptional circumstances.
- 1.5. The museum 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 such factors as staffing, storage and care of collection arrangements.
- 1.6. The museum will undertake due diligence and make every effort not to acquire, whether by purchase, gift, bequest or exchange, any object or specimen unless the University or responsible officer is satisfied that the museum can acquire a valid title to the item in question.
- 1.7. In exceptional cases, disposal may be motivated principally by financial reasons. The method of disposal will therefore be by sale and the procedures outlined below 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
  - extensive prior consultation with sector bodies has been undertaken
  - the item under consideration lies outside the museum's established core collection

## **2. History of the collections**

The Sainsbury Centre for Visual Arts (SCVA) is one of the most important public university art galleries in Britain. It was founded in 1973 at the University of East Anglia (UEA) with the support of one of the nation's great philanthropic families, Sir Robert and Lady Lisa Sainsbury who donated their extraordinary art collection which includes works dating from prehistory to the late twentieth century from across the globe. Their art collection, known as the Robert and Lisa Sainsbury Collection was the founding collection held by SCVA and remains at the very heart of the institution's identity.

The Sainsbury Centre holds one of the most impressive art collections outside of the national institutions. Alongside the works donated by Robert and Lisa Sainsbury the Centre's holdings have continued to grow and now form some 5,000 works in total. Shortly after the Centre opened in 1978, Sir Colin Anderson a friend of Robert and Lisa donated the Anderson Collection of Art Nouveau. A collection dedicated to Abstract and Constructivist Art, Design and Architecture had been established by the University in 1968 and was fully absorbed into the Centre's holdings in 1990. There are also a number of smaller collections dedicated to teaching and research. The collections are held by the

Sainsbury Centre for Visual Arts on behalf of the University of East Anglia and the institution has university museum status.

Robert Sainsbury started collecting around 1929 and in 1937 he married Lisa van den Bergh from which point the Collection became a joint one. In 1973 Robert and Lisa Sainsbury donated their collection to the university and their son, David (Lord Sainsbury of Turville), funded a building on the university campus. The building was designed by Norman Foster (Baron Foster of Thames Bank) and opened in 1978. From that date, through the generosity of the benefactors, the collection continued to grow.

Sir Robert died in April 2000 and after that time Lady Sainsbury continued to make a number of acquisitions, principally of Japanese antiquities up until 2006 when she ceased to collect. Lady Sainsbury died in 2014. Following her death a final bequest of some 350 works were added to the collection.

Since 2012 the Sainsbury Centre has more actively pursued the development of its collections and made significant acquisitions and now comprises 197 works. Works will be accessioned to this collection when they meet the clearly defined justifications for acquisition outlined in this Collections Development Policy but cannot be accessioned to one of the pre-existing collections. For example, the Robert and Lisa Sainsbury Collection is reserved for works acquired by the benefactors in their lifetime. There is however no restriction on adding to the Anderson Collection or Abstract and Constructivist collection.

### **3. An overview of current collections**

#### **3.1. Robert and Lisa Sainsbury Collection: 1687 works**

The Sainsbury Centre was established to care for and display the Robert and Lisa Sainsbury Collection. The collection includes a significant number of works by modern masters of European art such as Pablo Picasso, Edgar Degas, Alberto Giacometti, Henry Moore, Francis Bacon, Jacob Epstein, Jean Arp, Chaim Soutine and Amedeo Modigliani. There is also a remarkable collection of art and antiquities dating from prehistory to the late twentieth century from across the globe. There are major holdings from Oceania, Africa, the Americas, Asia, the ancient Mediterranean cultures of Egypt, Greece and Rome, as well as Medieval Europe.

From an art-historical perspective, the Robert and Lisa Sainsbury Collection is one of the few intact modernist collections of the twentieth century and is of national and international importance. The collection was formed under the particular circumstances of twentieth century European modernism, when successive art movements of the European avant-garde engaged with works of art from beyond Europe, principally the arts of Africa, Oceania and the Americas, which was once generally and rather misleadingly referred to as 'tribal' or 'primitive art'. There is no doubt that Sir Robert's early collecting was guided in this way and it is worth noting that both Jacob Epstein and Henry Moore were themselves collectors of art from Africa, Oceania and the Americas. Although much has been written about how so called 'primitive art' was appropriated by European artists, Sir Robert increasingly acknowledged such works as of equal status and this is reflected in how the collection is displayed. Collections formed by a similar sensibility, where modern European art was brought together with non-European art, are the Menil Collection in Houston, the Peggy Guggenheim in Venice, the Beyeler in Basel, Kimbell Art Museum in Fort Worth, Princeton University Art Museum and the Garman Ryan Collection in Walsall.

A three-volume illustrated catalogue (Yale University Press, 1997), edited by Prof. Steven Hooper, Director of the Sainsbury Research Unit for the Arts of Africa, Oceania and the Americas, and provides an introduction to the development of the collection and individual entries on all works acquired prior to 1996. A more recent book, *Masterpieces of the Sainsbury Centre* (published 2015), illustrates 100 works from the collection.

The principal body of the Robert and Lisa Sainsbury Collection is displayed in the Living Area gallery at SCVA. This gallery is a reflection on how they surrounded themselves with art at home. It is largely static and considered an historical statement in its own right. Alongside this, a more flexible gallery displays works from the collection and allows for greater interpretation and art historical context.

### 3.2. Sainsbury Abstract Collection: 96 works

The Sainsbury Abstract Collection (SAC) includes paintings and works on paper and was largely acquired by Lisa Sainsbury, but is not considered as part of the Robert and Lisa Sainsbury Collection. The collection is principally of works from the École de Paris of the post second world war period. The collection shows a strong preference for lyrical abstraction and Tachism, art movements that flourished in France from 1945 to roughly 1960 and exhibit an expressive calligraphic style, away from the hard edged geometric abstraction of the pre-war period. Notable artists included in the collection are Jean Fautrier, Charles Maussion, Mübin Orhon, André Lanskoj, Léon Zack, Bernard Dufour, and Jean-Marie Calmettes.

### 3.3. Lisa Sainsbury Ceramics Collection: 426 works

The Lisa Sainsbury Ceramics Collection represents a major collection of twentieth century studio ceramics and was largely acquired by Lady Sainsbury, but is not considered as part of the Robert and Lisa Sainsbury Collection. It was formed from the 1950s onwards when Lady Lisa began to collect the work of Lucie Rie. The collection includes work by Rie's contemporaries such as Bernard Leach and Shōji Hamada. It includes a remarkable group of works by Hans Coper as well works by, amongst others: James Tower, Ewen Henderson, Claudi Casanovas, Rupert Spira, Jennifer Lee, Julian Stair, Sara Radstone, Gabriele Koch, and Ian Godfrey.

### 3.4. Family Collection: 456 works

In 2010 SCVA formed a collection called the Family Collection. This consists of objects that were acquired by Robert and Lisa Sainsbury and donated to the university, but are not formally part of the Robert and Lisa Sainsbury Collection. Following the death of Lady Sainsbury, a final bequest of some 350 works were added to the collection. The objects range from formal artworks to personal effects and a small number of objects with questioned authenticity. The collection is essentially a study collection and adds to the contextual history of the formation of the Robert and Lisa Sainsbury Collection.

### 3.5. Collection of Abstract and Constructivist Art, Architecture and Design: 602 works

The Collection of Abstract and Constructivist Art, Architecture and Design concentrates on the non-objective, constructive and concrete art movements of the twentieth century and the related fields of architecture and design. Begun in 1968 by the then UEA Librarian, Willi Guttsman, Professor of Fine Arts, Peter Lasko and Dr Alastair Grieve of the School of World Art Studies and Museology. Because of its unique focus the collection is of national importance. The collection presents the non-objective and constructive art movements of the twentieth century, such as the English Vorticists, the Russian Suprematists and Constructivists, the Dutch De Stijl Group and the German Bauhaus School.

Begun in the late 1960s, the collection suggested a response to the modernist architecture of the new University of East Anglia campus, designed by Denys Lasdun, and the university's multi-disciplinary ethos. As such, the collection encompasses multiple forms and disciplines of art, design and architecture. General concerns of artists, designers and architects whose works are represented include some or all of the following: a refined form of abstraction with a restrained vocabulary of colours and geometric forms offering an alternative vision of art. The importance of structure, systems and mathematical processes as components of a work of art. In the age of the machine, there was a rejection of the literal, narrative and descriptive elements in art. The collection includes furniture and architectural models as well as paintings, sculpture, reliefs, multiples, and works on paper.

Two catalogues of the collection have been published, one in 1968, and a new expanded edition in 1994.

### 3.6. Anderson Collection of Art Nouveau: 220 works

The Anderson Collection of Art Nouveau is considered one of the most important privately assembled collections of Art Nouveau in the UK. Sir Colin and Lady Anderson were particularly drawn to exquisitely coloured pieces that epitomised the style with whiplash curves, botanical lines and floral motifs. The collection dates predominately from the turn of the twentieth century and most fully represents the French exponents of Art Nouveau associated with the École de Nancy and makers who, both in France and Britain, worked across a range of disciplines and materials such as glassware and furniture, metalware and jewellery. The collection not only includes pieces by leading exponents of Art Nouveau such as Louis Comfort Tiffany, Émile Gallé and René Lalique, but significantly also anonymous commercial pieces, giving the collection a wonderfully individual character which offers an unparalleled opportunity for an exploration of Art Nouveau as both design and manufacture. The collection encompasses examples of European and American Art Nouveau from about 1890 to 1905, and includes furniture, glass, ceramics, metalwork, jewellery and graphics. A comprehensive illustrated catalogue of the collection was published in 2003.

### 3.7. Sainsbury Centre Collection of Art: 676 works

Since 2012 the Sainsbury Centre has more actively pursued the development of its collections and made significant acquisitions. Works will be accessioned to this collection when they meet the clearly defined justifications for acquisition outlined in this Collections Development Policy but cannot be accessioned to one of the pre-existing collections. For example, the Robert and Lisa Sainsbury Collection is reserved for works acquired by the benefactors in their lifetime. There is however no restriction on adding to the Anderson Collection or Abstract and Constructivist collection.

## 4. **Themes and priorities for future collecting**

The development of collections is a core activity of the institution and reflects our desire to bring to our visitors the best possible enjoyment and education concerning the visual arts. But any growth in our collections will be measured against sustainable growth and how we can care for the collections.

SCVA is fortunate in that as a relatively young institution, its collections are modest and there is display space capacity for growth and good conservation facilities. The Centre is actively pursuing the enhancement of its collections and continue to judiciously develop the collection in scope, depth and quality.

Acquisitions would typically be within the scope of the existing collections and must be of comparable quality and relate to or inform the existing collections. A key aim is to build on the original Sainsbury gift and retain its integrity but allow the institution to grow and develop where it is appropriate to do so. We wish to simultaneously acknowledge this extraordinary gift but at the same time prevent it from becoming a time capsule.

The collections as a whole have their roots in twentieth century European modernism and celebrate the universality of art and human creativity from prehistory to the present day.

Although the individual Collections retain separate identities, there is a desire to integrate wherever it is prudent to do so. The collections as a whole represent a continuing and developing tradition of modernism through art and design practice from its beginnings in the late nineteenth century until the present day. There is a desire to enrich the value of the collection for research and teaching by acquiring archives of work by artists represented in the collections. In addition, archives that more generally relate or inform the collections will be considered as valuable assets in enriching SCVA holdings and providing the intellectual substance for future research.

#### 4.1. Augmenting the Robert and Lisa Sainsbury Collection

It is stated in the deed of gift that the Robert and Lisa Sainsbury Collection will 'close' following the death of the benefactors.

Nonetheless, the benefactors acknowledge the possibility of the development of a collection that might augment and stand alongside the Robert and Lisa Sainsbury Collection. Within the memorandum accompanying the deed of gift, it is indicated that, within the constraints of the funding available to UEA, the SCVA might acquire additional material with the proviso that for registration purposes such acquisitions should not be ascribed to the Robert and Lisa Sainsbury Collection:

*"Works of art (which shall include so-called 'primitive sculpture' and ethnographical artefacts and shall not be confined to the fine arts, but include applied arts and the decorative arts) ... which may be considered to be in accord, in principle, with the 'Sainsbury Collection.'"*

In the same document, the benefactors also hoped that, in the event of the university acquiring works of art after the death of Sir Robert Sainsbury, it would, in particular, concentrate its efforts in two directions:

- i. "In augmenting and complementing the sculptures comprised in The Sainsbury Collection so that they may become as far as possible, a study collection for all periods and civilisations."*
- ii. "In acquiring sculptors' and sculptural drawings and prints using the word drawing in its fullest sense. ("Drawings", here in shall include pastels, gouaches, watercolours and the like"*

It is the policy of SCVA to be sensitive to the spirit of the original gift of the Robert and Lisa Sainsbury Collection, to be reflexive to the subsequent collecting activity of Sir Robert and Lisa Sainsbury and to respect their intentions.

The SCVA intends, therefore, to acquire items which will build on the strengths of the Robert and Lisa Sainsbury Collection in a way that augments the scope and quality of that collection, and sits alongside it without compromising its integrity as an historic collection. In essence, works that complement and enhance existing holdings but do not alter and change

the essential character of the collection. For purposes of Registration, any new works that relate to this collection will be assigned to the Sainsbury Centre Collection of Art in accordance with the Deed of Gift prepared by Robert and Lisa Sainsbury. The areas of research currently being explored are post war painting (context of Bacon) and sculpture (context of Moore), sculptors' drawings and early 20th century work of the European Avant-garde. The range and breadth of art beyond Europe will require on-going research into how the collection can be best complemented without altering its essential character.

#### 4.2. Sainsbury Abstract Collection

This collection is of increasing historical importance and requires further research and comparative study with other museums. It is principally works from the École de Paris of the post second world war period but in fact many of the key protagonists are absent and the collection could be significantly strengthened by acquiring works by the following artists: Nicolas de Staël, Hans Hartung, Jean Dubuffet, Serge Poliakoff, Wols, Alfred Manessier, Georges Mathieu, Francis Picabia, Jean-Paul Riopelle, Maria Helena Vieira da Silva, Pierre Soulages, Pierre Alechinsky, Karel Appel, Asger Jorn and Sam Francis. Another development could be the influence of the École de Paris on contemporary British artists such as Patrick Heron, William Gear, Roger Hilton, Alan Davie, William Turnbull, Paul Feiler, Terry Frost, Ivon Hitchens, Peter Lanyon and William Scott.

The Sainsbury Abstract Collection is closed, but the collection will be augmented under the same conditions as the Robert and Lisa Sainsbury Collection.

#### 4.3. Lisa Sainsbury Ceramics Collection

The SCVA is one of the principle galleries in the UK for the display of studio ceramics. The curatorial team has a growing expertise in twentieth and twenty-first century ceramics and aims to extend the current holdings to represent practice more comprehensively than is currently possible. Current research features artists such as Julian Stair, Ian Auld, Elizabeth Fritsch, Richard Slee, Magdalene Odundo and Robin Welch.

The Lisa Sainsbury Ceramic Collection is closed, but the collection will be augmented under the same conditions as the Robert and Lisa Sainsbury Collection.

#### 4.4. Family Collection

We do not anticipate any further acquisitions into the Family Collection.

#### 4.5. Collection of Abstract and Constructivist Art, Architecture and Design

The Collection of Abstract and Constructivist Art, Architecture and Design presents the non-objective and constructive art movements of the twentieth century, such as the English Vorticists, the Russian Suprematists and Constructivists, the Dutch De Stijl Group and the German Bauhaus School. The aim is to continue to acquire work by artists, architects and designers whose work relates to geometric abstract, concrete and constructivist movements of the twentieth century, concentrating in particular on a number of themes: technology and the machine, the interface between art and science, art and mathematics.

The following areas are under-represented and should be strengthened:

- Objects from Russia and Eastern Europe, in particular representing the earliest Constructivist movements
- English Modernism of the 1930s

- Post-de Stijl art from the Netherlands
- The Bauhaus, especially household items and textiles to complement the Bauhaus-related Isokon furniture already in the Collection
- North and South American geometric abstraction, which is currently only thinly represented.

#### 4.6. Anderson Collection of Art Nouveau

The Anderson Collection remains technically 'open' although no further gifts are anticipated from the Anderson family. No original deed of Gift exists but in the board note from 1978 when the collection was formally accessioned, it is stated that no special conditions are attached to the collection. The collection is considered one of the most important privately assembled collections of Art Nouveau in the country and therefore, as with the Robert and Lisa Sainsbury Collection, the SCVA intends to acquire items which sit alongside it without compromising its integrity as a 'closed' collection. Works will be selected that build on the strengths of the collection in a way that augments the scope and quality.

Groups of artists that we would be particularly interested in including are the Viennese Secessionists, the Glasgow School and Belgium Art Nouveau, for example, Josef Hoffmann, Charles Rennie Mackintosh, Henri van de Velde and Victor Horta.

#### 4.7. Sainsbury Centre Collection of Art

All acquisitions (unless accessioned to the Abstract and Constructivist or Anderson Collections) are accessioned into the Sainsbury Centre Collection of Art. The works assigned to this collection will meet the defined justifications for acquisition outlined in the Collections Development policy. In essence, artworks in this collection sit alongside the existing three principle historic collections but must be of comparable quality, relate or inform as outlined above.

### **5. Themes and priorities for rationalisation and disposal**

5.1. The museum does not intend to dispose of collections during the period covered by this policy. During this period, disposals will only be undertaken for legal, safety or care and conservation reasons (for example, spoliation, radiation, infestation, repatriation).

### **6. Legal and ethical framework for acquisition and disposal of items**

6.1. The museum 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 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.



7.1. Specific reference is made to the following museums/organisations:

Robert and Lisa Sainsbury Collection

- British Museum
- Oxford, Cambridge and Manchester University museums
- Tate

Collection of Abstract and Constructivist Art, Architecture and Design

- Tate London and St Ives (for paintings, reliefs and sculpture and representation of particular artists)
- Scottish National Gallery of Modern Art
- Dean Clough, Halifax (furniture)
- Design Museum (furniture and related archives)
- Victoria and Albert Museum (furniture, prints, drawings and paintings, textiles)
- British Museum (prints and drawings)

Anderson Collection

- Victoria and Albert Museum
- Brighton Museum and Art Gallery

## **8. Archival holdings**

8.1. As SCVA holds archives, including photographs and printed ephemera, the university will be guided by the Code of Practice on Archives for Museums and Galleries in the United Kingdom (third edition, 2002).

## **9. Acquisition**

9.1. The policy for agreeing acquisitions is:

9.1.1. All potential acquisitions are measured against the Collections Development Policy to test they fit the collection building strategy. The proposing Curator writes an acquisition proposal which is presented to the SCVA Director and senior management team (SMT) for consideration. If the Director and management team wishes to proceed the proposal is presented to the SCVA Board for approval and final ratification.

9.1.2. SCVA will exercise due diligence and make every effort not to acquire, whether by purchase, gift, bequest or exchange, any object or specimen unless the university or responsible officer is satisfied that SCVA can acquire a valid title to the item in question.

9.1.3. In particular, SCVA 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).

9.1.4. 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 SCVA will reject any items that have been illicitly traded. The university 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.

9.1.5. So far as biological and geological material is concerned, SCVA 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.

9.1.6. SCVA 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.

9.1.7. Any exceptions to the above clauses 9.1a, 9.1b, 9.1c, or 9.1e will only be because SCVA 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

9.2. 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).

9.3. 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.

## **10. Human Remains**

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

## **11. Biological and geological material**

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

## **12. Archaeological material**

- 12.1. The museum 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.
- 12.2. In England, Wales and Northern Ireland the procedures include reporting finds to the landowner or occupier of the land and to the proper authorities in the case of possible treasure (i.e. the Coroner for Treasure) as set out in the Treasure Act 1996 (as amended by the Coroners & Justice Act 2009).

## **13. Exceptions**

- 13.1. Any exceptions to the above clauses will only be because the museum is:
  - acting as an externally approved repository of last resort for material of local (UK) origin
  - acting with the permission of authorities with the requisite jurisdiction in the country of origin

## **14. Spoliation**

- 14.1. 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.

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

- 15.1. 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 16.1-5 will be followed but the remaining procedures are not appropriate.
- 15.2. 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'.

## **16. Disposal procedures**

- 16.1. All disposals will be undertaken with reference to the SPECTRUM Primary Procedures on disposal.
- 16.2. No items in the Robert and Lisa Sainsbury Collection may be disposed from the collection under the conditions of the deed of gift. SCVA is legally free to dispose of any other item from its collection. It is agreed that any decisions to dispose of material from the collection will be after due consideration and approval by the Sainsbury Centre Board of Trustees (sub-committee of University Council). Any agreements on disposal made with donors will be taken into account.

- 16.3. 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.
- 16.4. 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.
- 16.5. 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 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. 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.
- 16.6. 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 or manager of the collection acting alone.
- 16.7. 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 other Accredited Museums likely to be interested in its acquisition.
- 16.8. 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 MA's Find an Object web listing service, an announcement in the Museums Association's Museums Journal or in other specialist publications and websites (if appropriate).
- 16.9. 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.
- 16.10. Any monies received by the museum governing body 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 the Arts Council England.

- 16.11. The proceeds of a sale will be allocated so it can be demonstrated that they are 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.
- 16.12. 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.

16.13. Disposal by exchange

The nature of disposal by exchange means that the museum will not necessarily be in a position to exchange the material with another 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.

- 16.13.1. 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 16.1-5 will apply.
- 16.13.2. If the exchange is proposed 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 comments will be requested.
- 16.13.3. If the exchange is proposed with a non-Accredited museum, with another type of organisation or with an individual, the museum will place a notice on the MA's Find an Object web listing service, or make an announcement in the Museums Association's Museums Journal or in other specialist publications and websites (if appropriate).
- 16.13.4. Both the notification and announcement must provide information on the number and nature of the specimens or objects involved both in the museum's 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.

16.14. Disposal by destruction

- 16.14. If it is not possible to dispose of an object through transfer or sale, the governing body may decide to destroy it.
- 16.15. It is acceptable to destroy material of low intrinsic significance (duplicate mass-produced articles or common specimens which lack significant provenance) where no alternative method of disposal can be found.
- 16.16. Destruction is also an acceptable method of disposal in cases where an object is in extremely poor condition, has high associated health and safety risks or is part of an approved destructive testing request identified in an organisation's research policy.

- 16.17 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.
- 16.13 The destruction of objects should be witnessed by an appropriate member of the museum workforce. In circumstances where this is not possible, eg the destruction of controlled substances, a police certificate should be obtained and kept in the relevant object history file.