

CITY OF LONDON

**Culture, Heritage and Libraries
Department**



GUILDHALL ART GALLERY

Acquisition and Disposal Policy

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ACQUISITION & DISPOSAL POLICY

NAME OF MUSEUM:	Guildhall Art Gallery
GOVERNING BODY:	City of London Corporation – Culture, Heritage and Libraries Committee
MANAGEMENT STRUCTURE:	Guildhall Art Gallery is managed as part of the Culture Heritage and Libraries Department of the City of London. The Head of Guildhall Art Gallery is responsible for the management of Guildhall Art Gallery.
DATE ON WHICH THIS POLICY WAS APPROVED BY GOVERNING BODY:	21 February 2011 (unamended version)
DATE AT WHICH THIS POLICY IS DUE FOR REVIEW:	December 2018

1. Gallery's statement of purpose

Guildhall Art Gallery cares for the City of London Corporation's Permanent Collection of works of art which comprises some 4,000 oil paintings, sculptures and works on paper. Its major strengths are in London topographical and civic subjects from the seventeenth century to the present day and art from the Victorian period. Two notable special areas are the studio collection of Sir Matthew Smith and the Harold Samuel collection of Dutch and Flemish paintings. As well as the regular display of items from the Permanent Collection, the Gallery runs a temporary exhibitions programme which includes major exhibitions as well as smaller scale shows that regularly focus on the significant archival and other treasures of the City Corporation. The Gallery also manages the archaeological remains of London's Roman Amphitheatre which lie underneath the exhibition floors.

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

The Permanent Collection comprises principally:

- Topographical subjects and other paintings, drawings and watercolours relating to London, 17th century to the present
- State and civic portraits from the 17th century to the present and ceremonial subjects relating to London
- Portraits of 18th century naval and military heroes and other paintings presented in the 1790s by Alderman John Boydell

- Victorian paintings including Pre-Raphaelite works, landscape and genre subjects, the majority being the Charles Gassiot Bequest of 1902
- The Sir Matthew Smith studio collection, presented in 1974 by Mary Keene and comprising 175 oil paintings and more than 1,000 watercolours and drawings
- Large-scale sculptures commissioned by the Corporation of London and permanently located in the Great Hall at Guildhall, Mansion House, and Old Bailey
- The Harold Samuel Collection of 17th century Dutch and Flemish paintings, bequeathed in 1987 by Lord Samuel for permanent display at the Mansion House
- 'Plenty and Progress' - the Guildhall Art Gallery's contemporary acquisition programme exploring the themes associated with the City of London, such as money, power, boom and bust, trade and commerce, and justice, with particular reference to the financial services.

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.

The acquisition policy of the Gallery is restricted to works of art (oil paintings, watercolours, drawings, prints and sculptures) of direct relevance to London, whether in relation to the artist or to the subject of the work. **Within this, the Gallery endeavours to acquire works of art with particular relevance to the City of London and subjects associated with the locality, such as money, power, boom and bust, trade and commerce, and justice, with particular reference to the financial services.**

4. Limitations on collecting

The Gallery 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 Gallery 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):

- Museum of London

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 Agency 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 Gallery itself, having regard to the interests of other museums. Such circumstances will normally only occur:

- where a bequest or donation of a work of art has been specifically made to and accepted by the City of London Corporation
- where the City of London Corporation has itself commissioned an original work
- where a work has direct relevance to another work already in the Permanent Collection

8. Acquisition procedures

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

b. In particular, the Gallery 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 Gallery 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. The Gallery will not acquire any biological or geological material.

e. The Gallery 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, or 8e will only be because the Gallery 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 Gallery 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 Gallery does not hold or intend to acquire any human remains.

9. Spoliation

The Gallery 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 Gallery's governing body, acting on the advice of the Gallery'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 Gallery 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 12s 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 Gallery 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 Gallery 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 Gallery's collection.

c. The Gallery 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 Gallery 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-12s will be followed and the method of disposal may be by gift, sale or exchange.

f. The Gallery 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 Gallery'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 Gallery 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 Gallery 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. Subject to the City of London Corporation's rules on the disposal of capital assets, the Guildhall Art Gallery will endeavour to apply any monies received from the disposal of items 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 subject to the same caveat. Advice on those cases where the monies are intended to be used for the care of collections will be sought from Arts Council England.

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

Disposal by exchange

n. The nature of disposal by exchange means that the Gallery 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.

o. In cases where the governing body wishes for sound curatorial reasons to exchange material directly with Accredited or unaccredited museums, with other organisations or with individuals, the procedures in paragraphs 12a-12d and 12g-12h will be followed as will the procedures in paragraphs 12p-12s.

p. 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.

q. If the exchange is proposed with a non-accredited museum, with another type of organisation or with an individual, the Gallery will make an announcement in the Museums Journal and in other specialist journals where appropriate.

r. Both the notification and announcement must provide information on the number and nature of the specimens or objects involved both in the Gallery'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.

Documenting disposal

s. 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.