

	01	02	03	04	05
Foreword Introduction Terminology	Disposals flowchart	Before you start - questions to consider	Establishing a deaccessioning procedure	Selecting items for deaccessioning	Methods of transfer, reuse or disposal
	$\rightarrow$	$\rightarrow$	$\rightarrow$	$\rightarrow$	$\rightarrow$
Contents					

"This toolkit is designed to support museum workers to grasp the challenge of our proliferating collections and undertake active disposals. It recognises that such work has risks, which need to be understood and carefully managed, but in many cases these are outweighed by the risks of doing nothing. As collections continue to expand, storage fills up and the carbon footprint of our collections grows: in a climate crisis, inaction is irresponsible.

It is nearly twenty years since a National Museums Directors Conference produced a report starkly titled "Too Much Stuff". It is fifteen years since Nick Merriman warned that "we continue to operate unsustainably in relation to museum collections." However, despite broad acceptance in the sector that disposals are an important part of good collections management, we continue to collect more than we dispose, putting at risk the long-term sustainability of our collections, and our institutions.

I hope that this revised toolkit will enable more people to take the action we need to ensure our collections are well used, well cared-for, and managed sustainably for the future."

Michael Terwey, Director of Public Engagement & Research, National Trust for Scotland and Chair, Ethics Committee, Museums Association.



If museums are to be financially and environmentally sustainable, and relevant to the communities we serve in the 21st century, we must take an immediate and proactive approach to collections management and review.

Ethical transfer, disposal, reuse and deaccessioning are everyday and necessary parts of a sustainable collections management approach and the need for this work is urgent. Museums must do their part to address the climate crisis for the benefit of society through their collections management practices. Museum stores can have a significant number of items which have low cultural or research value.

If these items are not being used then it is important that resources and capacity are redirected to other parts of the collection.

Museums hold their collections in trust for the public and have the responsibility of managing and preserving them for use now and in the future. Museums also have a responsibility to ensure that their collections remain relevant and manageable. Removing items from museum collections is vital to ensure that museums are able to maintain and create relevant and dynamic collections, while avoiding becoming a permanent store for items which no longer meet the needs of the communities they serve.

We have created this guidance to support everyone who works in and with museums to feel confident to carry out successful and ethical deaccessioning from collections and to work with the public and communities to achieve this.

This requires museum workers both to adhere to the Museums Association's <u>Code of Ethics</u>, follow established process and the <u>Spectrum standard</u>, to exercise informed judgement and to have awareness of their own skills, knowledge and expertise and of the expertise that exists in the wider sector and our communities.

Awareness of these will enable you to be empowered to shape your collection for its ongoing use and meaning, and seek input and expertise from others when it will aid the disposal process.

#### Introduction

This guidance refers to transfer, reuse and disposal of items from accessioned museum collections using the definition of accessioning provided by Collections Trust in the **Spectrum standard**. These terms have been chosen to reflect the range of ways in which items can leave a museum collection after they have been formally deaccessioned. This process should also be applied to nonaccessioned collections such as handling collections and loans where it should also be undertaken with due diligence, formal decision making and recording.

Accessioned – Refers to items that have been formally added to the museum collection through its acquisition and accessioning process.

**Deaccessioning** – The formal decision by a museum's governing body to remove an item from the accessioned collection.

**Transfer** – Refers to the opportunity for museums to transfer ownership of a deaccessioned item to another museum or public organisation within the public domain or providing regular public access.

Reuse – The opportunity for museums to reuse or recycle items from the accessioned collection – either returning items to their original use, or finding an innovative new use for items, such as incorporation into a new work of art.

**Destruction** – The dismantling or throwing away of deaccessioned items. These methods can be ethical under some circumstances, but require careful consideration.

Restitution – Refers to the process of returning cultural material to its original owners although the process can encompass more than this and is set out more clearly in the Arts Council England guidance on Restitution and Repatriation and the Museums Association's Supporting Decolonisation in Museums.

Repatriation – The process of returning cultural material to its place of origin although the process can encompass more than this and is set out more clearly in the Arts Council England guidance on Restitution and Repatriation and the Museums Association's Supporting Decolonisation in Museums.

Institutions may adopt their own terminology for these options. We recommend thinking carefully about what terminology you use in communicating with your audiences and communities and in giving them agency in the process.

 $\rightarrow$  For more on this see

**Communicating the Process** 

#### Public access

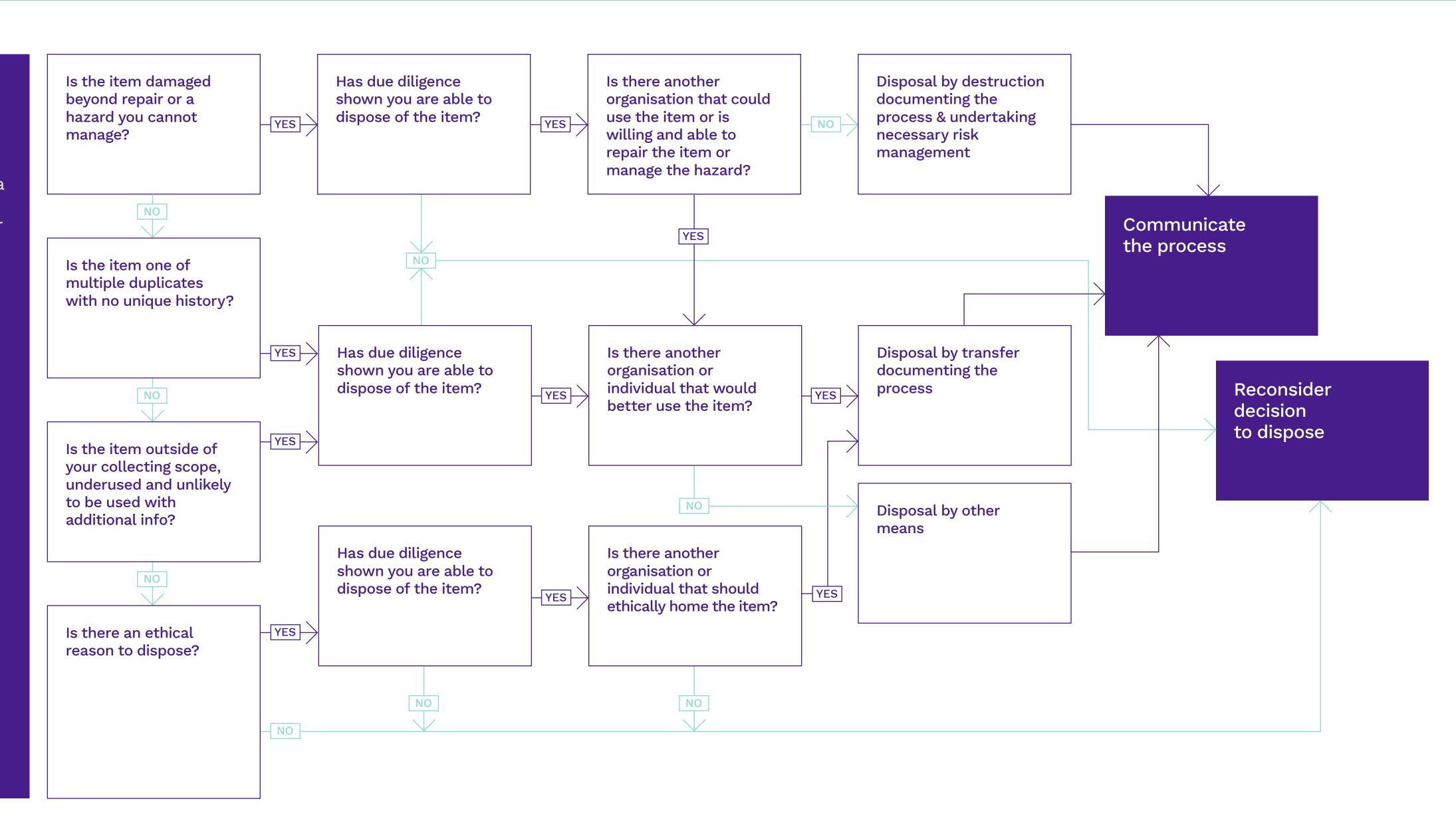
In order to provide public benefit collections should be available for frequent public access. This doesn't mean that collections need to be held only by museums or public bodies, many other organisations are able to provide this level of access. To be publicly accessible, collections must be available for the public to view or use on a regular basis whether that be through open access or by request. It should be easy for a member of the public to find out about collection items held and to make an enquiry about them. This doesn't mean all collections must be accessible online but there should be open channels of communication for the public to make enquiries. A private company or individual who opens up access a handful of times per year will not be seen as meeting this requirement.

### Terminology

01

## Disposals flowchart

Ensure an approved collection development policy is in place with a deaccessioning procedure including a system of delegated authority. For a wider review formulate a strategy, produce a risk assessment matrix and plan your approach to public consultation.



## Before you start – questions to consider

02

#### What is your motivation for deaccessioning?

Consider why you want to remove an item or a collection. Are you considering a better use in a different public setting? Are you seeking to dispose of degraded or hazardous items? Are you trying to clear space or create capacity for new work such as contemporary collecting? Are you trying to generate income and, if so, why? The answers to these questions will help you to consider whether you are undertaking deaccessioning in a consistent and ethical way.

#### How does your planned deaccessioning benefit the public?

Public benefit should be at the heart of decision making and we encourage you to include the public in decision making. Consider the make-up of your audiences, communities and stakeholders and if/how your collection creates a benefit for these groups. Are there places outside of the museum where items could be cared for and used more frequently? Are you able to care for the item sufficiently to ensure it delivers public benefit in the longer term? Will deaccessioning give you capacity for future public benefit such as contemporary collecting?

#### What do you know about the item?

It is important to understand an item's significance and any issues relating to ownership before taking a decision to deaccession. You should consider taking a proportional approach in assessing significance and conducting due diligence. Have you made sufficient effort to research the item's history and ownership or has the item been overlooked in relation to its significance because of a lack of information/knowledge? The amount of resource you devote to this should be proportionate with the significance of the item, any perceived risks and benefits from the deaccessioning and likely method of transfer, reuse or disposal.

→ See | Significance and value

#### Do you have a process in place?

Do you have a process for ensuring that decisions are taken at the appropriate level? No decision to deaccession should ever be taken by one person acting alone – but some decisions can be managed entirely by staff with a final approval by a governing body, and others could also require input from the governing body earlier on or involve your community and other stakeholders throughout. Your organisation's process should also include or link to procedures for the physical disposal of objects identified for deaccessioning.

#### Are there any legislative requirements in place that apply to your organisation that you must consider?

Some types of museum and collections have additional considerations when it comes to deaccessioning such as the Convention on Biological Diversity or the National Heritage Act. You should be aware of these and factor them into decision making.

#### Supporting difficult decisions

Support is available if you are faced with difficult decisions around disposal, especially if the disposal is financially motivated or you are concerned that it contravenes our <u>Code of Ethics</u> or the <u>UK Accreditation Scheme</u> standards. The Museums Association's ethics committee and the national Accreditation Bodies of Arts Council England, the Welsh Government, Museums Galleries Scotland and Northern Ireland Museums Council, are there to support you through any significant difficulties that might arise.

03

# Establishing a deaccessioning procedure

The best way to ensure that you are making ethical decisions when deaccessioning and disposing of items is to have a clear process and policy within your museum.

Your internal process should be linked directly to your collections development policy and should also make reference to our Code of Ethics, which supports the responsible deaccessioning of items from museum collections so long as it meets all legal requirements. It states that all museums and those who work in them should:

"Acknowledge that responsible disposal takes place as part of a museum's long-term collections development policy and starts with a curatorial review. Ensure transparency and carry out any disposal openly, according to unambiguous, generally accepted procedures." (Para. 2.9)

In particular, your process should recognise that deaccessioning and ethical transfer, reuse or disposal is ethical where:

- it is within the framework of a clearly defined and in-date collections development policy
- it is on the advice of a range of staff (not an individual) and is agreed or delegated by the governing body
- it is done with the intention that wherever possible items remain accessible to the public
- it is unlikely to damage public trust in museums
- it is unlikely to damage the reputation of your museum

- it is likely to increase the public benefit derived from museum collections
- the proposed actions taken are proportional to the significance and cultural, scientific or historic value of the item.

In order to ensure that your museum takes a proportional approach to deaccessioning, your Board of Trustees or other decision maker should consider establishing a system of delegated authority for deaccessioning decisions. This should ensure that decisions to deaccession items of high value, status or significance are taken at Board level based on curatorial advice; while decisions on low value, status or significance items and/or those which are heavily degraded or hazardous can be taken at operational level. Significance assessments carried out by curators and collections staff will play an important role in underpinning these decisions. Note that deaccessioning decisions should always be subject to the views of more than one person, and where possible from different departments of the museum and the public/interested parties and communities. In smaller museums, a second opinion could be sought from a senior trustee or senior volunteer with knowledge of the collections. All deaccessioning decisions should be documented in line with agreed processes set out in the **Spectrum guidance**.

Deaccessioning can be carried out in bulk as part of large-scale collection reviews, or as part of regular, smaller reviews. These approaches have advantages and disadvantages. Largescale collection reviews are the best way of ensuring that you have a thorough, up-to-date understanding of a collection and are able to make an informed decision about what items do not meet your collections development policy and may be suitable for deaccessioning. They can also help you identify gaps in your collection in order to provide a focus for future collecting. However, they can involve a significant time and resource commitment and may limit your ability to deaccession as much as necessary. It is worth considering how you can involve the public in large scale collection reviews and take a more democratised approach to deaccessioning.

Regular, smaller reviews can allow museums to deaccession items while curators and other museum workers do day-to-day work on collections. Items can be identified, researched and assessed for significance and state of repair, and staff can recommend that they be selected for deaccessioning. Decisions on deaccessioning of these items could be taken monthly or quarterly at the appropriate level, in line with the levels of delegation set out in your museum's deaccessioning process. This process can be beneficial for making quick wins and in making sure that deaccessioning is a regular part of your overall collections management approach.

#### $\rightarrow$ CASE STUDY

#### Collections review at MonLife Abergavenny Museum

Funded by the National Lottery Heritage Fund, MonLife undertook a collection review to understand the museum's collections, conduct research, and pursue rationalisation and disposal between 2018 and 2022. The team reviewed Abergavenny Museum's social history collection and a small part of the Monmouth Museum Archaeology collection.

They adapted existing tools to produce a scoring grid that was suitable for their needs and at the end of the process they adapted it again based on experience and insight from the project. The grid was used to assess significance, risk, condition, completeness, potential for display and use and the resources required to care for the item.

The same team that scored the objects conducted the collections review process and managed object transfers to other museums and end-point disposals of items with little relevance to Monmouthshire's story. All disposal decisions were taken by the Collections Review Team and agreed by the Museums and Arts Manager. The decision was then approved by the cabinet member.

In total 1,035 objects were disposed of including:

- 132 objects transferred to other museums or institutions including for use in the museum's learning team, Conwy Museum and Archives and the Newport Ship Project
- two destroyed
- one collection returned to the donor
- 408 objects sold at public auction in Monmouthshire
- 285 objects pending auction in 2023.

To ensure transparency the team published a press report explaining the project's motives and communicating that there would be an auction. This was accompanied by a series of tweets that shared the disposal experience of transferring objects to other museums. Only one query about the disposal was raised overall and this happened at the auction and was easily answered by the auctioneer based on the information the museum had provided. Funds generated by sale at public auction were ringfenced for collections care and have been used to buy bespoke acid-free boxes. These boxes are being used to repack textile objects.

"We firmly believed that the collection review project enabled the museum to develop a more sustainable way of caring for collections. The disposal process gave the team time to uncover stories about the objects lost in the museum's early days. It gave a better understanding of the stories we wanted to tell and created much needed physical space after we downsized external stores"

Elesha-Joy Davis Collections Review Assistant MonLife



#### $\rightarrow$ CASE STUDY

#### Consulting the public on the possible disposal of the De Wadden at National Museums Liverpool

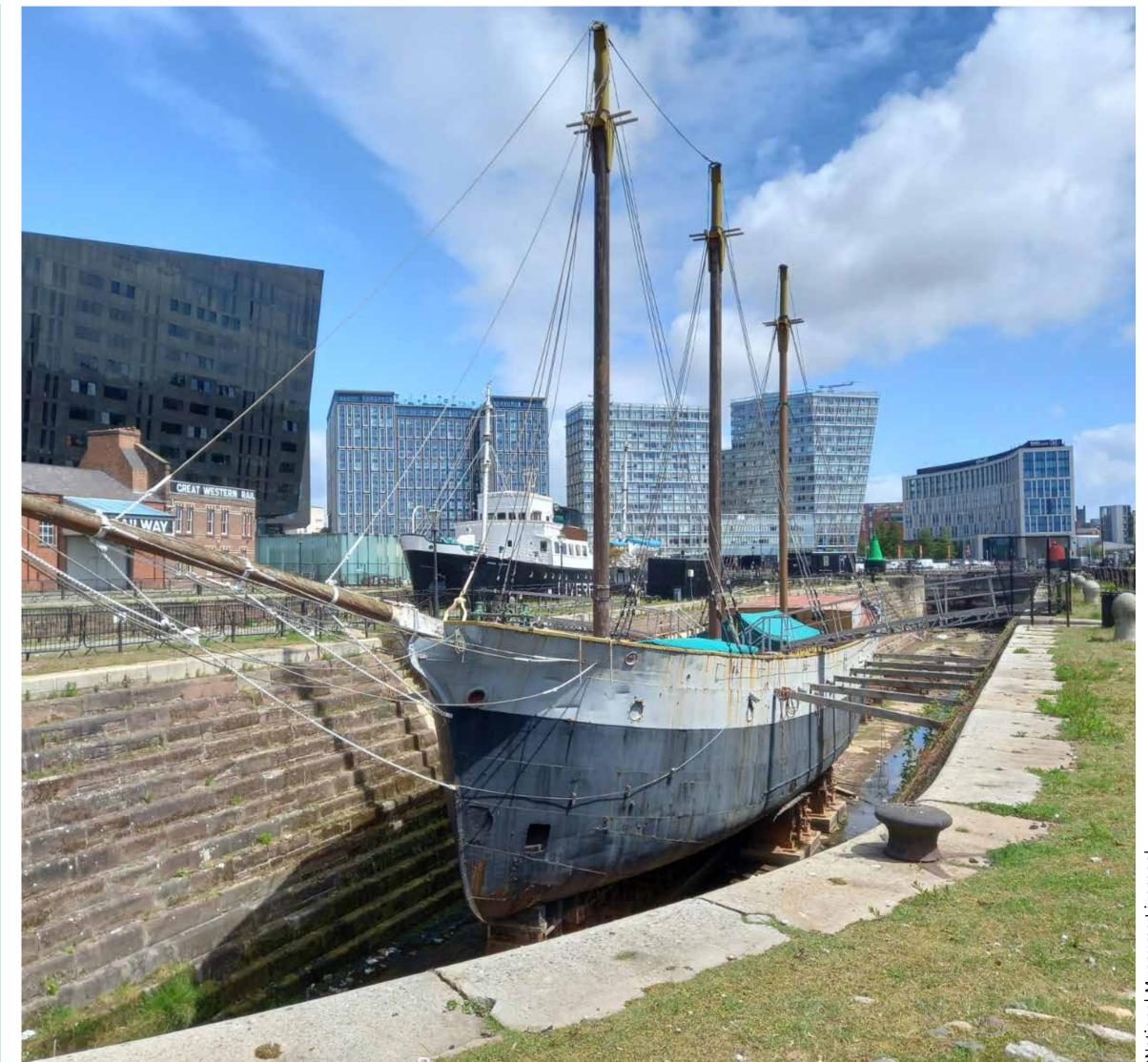
Built in 1917, De Wadden, a three-masted Dutch schooner was acquired by the Maritime Museum in Liverpool in 1984 and was sited in a graving dock adjacent to the museum. In light of a major project to refurbish the graving docks and the public realm spaces surrounding them, National Museums Liverpool (NML) carried out a review of De Wadden, considering the future of the ship which has never been accessible to the public, taking into account realistic options for the vessel and NML's ability to maintain it in the long-term.

NML created a steering group of curatorial, conservation, communications and collections care staff, to explore two options for De Wadden: the retention of the ship with a relatively low-level repair programme, or disposal. They spoke with DCMS and local government, National Historic Ships, other museums in the UK and EU with connections to De Wadden, former staff and volunteers involved in the acquisition of the ship, and maritime heritage organisations in the Liverpool area. The team also engaged local and national media and asked for feedback from the public via its website and social media channels.

In addition, they worked with the Museums Association on a number of online articles about De Wadden and the process of disposal around the ship as well as advertising it on Find an Object. The steering group also engaged external consultants to sense check the process. At every stage of the process, two members of NML's Board of Trustees were involved in discussions and conversations.

Ultimately the steering group recommended disposal of De Wadden to the Board of Trustees who accepted this recommendation.

The museum is now undertaking a second period of stakeholder engagement to explore two methods of disposal: transfer to another organisation, or deconstruction of the ship. A declaration to deconstruct the vessel has been circulated by National Historic Ships, and a final decision will be made around the method of disposal in 2023. A process of recording and documenting the ship will take place later that year, with the potential for public involvement in the process of marking De Wadden's disposal process.



04

## Selecting items for deaccessioning

Whether you are undertaking a large-scale collections review or smaller ad hoc deaccessioning, you should ensure that you have undertaken a significance assessment with reference to the museum's collections development policy, and you should consider the following factors in making your deaccessioning decision.

#### Items that do not fit with current collecting policies

- Would the museum collect the item today? Does it fit within your collections development policy?
- Is the item used? Can you use the item more in exhibitions, engagement or learning and will deaccessioning enable this? Is there any likelihood of it being used in future?
- Do I know enough about the item to establish the reasons for its acquisition?
- Does the item have more relevance with another organisation within the public domain?

When selecting items for deaccessioning, you should assess whether the item fits within the museum's current collections development policy. If the museum would not consider collecting the item now, and where you do not foresee the item being used, it may be appropriate to deaccession the item. You may judge that the item was accessioned incorrectly, for example as part of a bulk accessioning process, or that it represented the particular collecting interests of an individual in the past. This can be a legitimate reason to deaccession an item with a preference to transferring it to another organisation within the public domain or one providing regular public access.

It is also worth noting that collections development policies should be kept up to date and therefore will change over time. However, it is important to emphasise that changing a collections development policy specifically in order to deaccession an item is unethical practice and should not be considered.

An additional factor that may be worth taking into consideration for certain types of collection is the presence of duplicate or similar items in other museums in your specialist field and/or geographical area. It may be proportionate to decide to deaccession an item in circumstances where an item does not meet your collections development policy and you judge that another museum is more suited to holding those items in their collection.

#### **Quick wins**

There are some collections that can be deaccessioned without the need to follow the full transfer, reuse and disposal process. These include items that are damaged beyond all reasonable use and items where there are multiple duplicates and there is no unique history or data. You still need to undertake due diligence and document the process, but you can deaccession without other considerations. In the case of irreparably damaged items, you can throw away, repurpose or recycle the item without considering other methods of transfer, reuse or disposal too. Equally an item may be repairable, but another organisation might be better placed or able to undertake this repair work. In this case a transfer is preferable to leaving the item in storage. Hazardous materials that have no potential for research come into this section too although there will be more complications in completing the method of disposal – if an item is a threat to the health and safety of the public or the workforce it should be disposed of safely and in line with relevant guidance and regulations.

→ See | Recording the process

#### Significance and value

Many museums use significance assessments to determine the cultural, historic or scientific significance of an item and/or its associated data.

This process will often underpin decisionmaking on whether an item meets the criteria of a museum's collections development policy. This process may also help the museum to understand the financial value of an item, although it is not the primary purpose of the exercise.

Where you are finding it difficult to assess the significance of an item for example, due to a lack of information about the item, its provenance or its use – it may be worth consulting further with specialist sources of information such as Subject Specialist Networks, interest or community groups, or source communities. This should be done on a proportional basis – it is not worth pursuing further information for every item, but it can be useful for some items where there is reason to suspect that further information may change your view on the significance of the item.

#### Extract from collections review scoring grid produced by MonLife Heritage.

	Significance & Relevance to Collections Development policy	Risks associated with caring and using the object	Condition and Care	Completeness	Potential for display, use, engagement and research	Resource to manage, care, use
A	<ul> <li>Of clear national, regional, local or community significance.</li> <li>Relevant to the Collections Development Policy.</li> <li>Object known to be unique or rare.</li> </ul>	Low risks of hazards.	See table above	<ul> <li>Either fully complete or the missing elements are not integral to its importance and significance.</li> <li>Appears to be in its original condition.</li> </ul>	<ul> <li>Permanently on display</li> <li>Star object/"wow" factor.</li> <li>Strongly identified in the public's mind with the organisation or location.</li> <li>Regularly used for research or strong potential for public engagement</li> <li>Regularly used for research or strong potential for research use.</li> </ul>	Existing resources are appropriate.  – Can be managed, stored, and used using in house resources
В	<ul> <li>Of clear local or community value.</li> <li>Relevant to the Collections Development Policy.</li> </ul>	– Low risk at present but hazards could be exposed without appropriate collections management.	See table above	<ul> <li>Complete or missing only a small number of parts.</li> <li>In near original condition, or any adaptions are consistent with its history and use.</li> <li>Any missing parts do not make it unrecognisable.</li> </ul>	Potential to:  - Engage visitor interest and stimulate discussion.  - Contribute to a permeant or temporary exhibition.  - Potential for use in public engagement,  - Potential for research use.	Museum unable to meet management, storage, or use needs. Small amount of additional resource required.  - Would need to source a small amount of additional funds beyond in house resources to store, display, or conserve.
С	C1  - Named local donor with local address and has:     Assumed but unproven local or community     story/connection and: organisational, historical,     aesthetic artistic, scientific or social interest.  - Outside the Collections' Development Policy     but has a great relevance to other items within     Monmouthshire collections or illustrates     significant Monmouthshire stories which     are not already represented.  C2  - Named local donor with local address but     no information related to use, origin etc.  - Of assumed but unproven or of little specific     local, community or organisational importance     but possibly some historical, aesthetic artistic,     scientific or social interest.  - Outside the Collections' Development Policy.  - Similar to other item within Monmouthshire     Museums' collections.	<ul> <li>Some hazards exist but these can be safely managed with appropriate PPE.</li> <li>Size or weight of object requires additional resource to safely move.</li> </ul>	See table above	<ul> <li>Incomplete</li> <li>Object has been significantly adapted and these changes do not relate to the significant periods of its history.</li> </ul>	<ul> <li>No current public focus but may have some potential for this in the future.</li> <li>Not known to have been used in displays.</li> <li>Little potential for public engagement use.</li> <li>Little potential for research use.</li> </ul>	Museum unable to meet management, storage, or use needs. Significant additional resource required  - Would need to raise additional funds to preserve or display it.  - Once necessary conservation is performed, the object can be kept in the long-term with limited additional resource commitment.
D	<ul> <li>Not considered to have aesthetic, artistic, historical, scientific, or social interest.</li> <li>Outside the Collections Development Policy.</li> <li>Duplicate of existing item.</li> </ul>	<ul> <li>Caring for or using object presents immediate hazard.</li> <li>Size or weight of objects presents risk and requires significant additional resource to safely move/provide access.</li> </ul>		<ul> <li>Incomplete and its original function or appearance is not clear.</li> <li>Is unrecognisable.</li> <li>May be a fake</li> </ul>	<ul> <li>Not suitable for display.</li> <li>No potential for public focus.</li> <li>No potential for public engagement use.</li> <li>No potential for research use</li> </ul>	Museum unable to meet management, storage, or use needs. Unsustainable resource required.  - High level of conservation needed Unsustainable resource needed to store, manage, and use in the long-term even if conservation is performed.

→ See | Full image of significance assessment

#### **Underused items**

- Could the item be used more with improved information or access?
- Can you use the item more in exhibitions, engagement or learning and will deaccessioning enable this?
- Does the item have research value without regular use?

An item that is taking up storage space, does not meet your collections development policy and is unlikely to ever be used or researched further is unsustainable. If an item is selected for deaccessioning using these criteria there is a preference for transfer to another organisation within the public domain or providing regular public access. More details of this can be found in methods of transfer, reuse and disposal section.

#### Damaged and hazardous items

- Is there a value in the item in its damaged or dangerous condition?
- Has the hazard become unmanageable to the extent that there a risk to people or other items if it is retained in its current condition?
- Can the item be repaired or made safe and if so can your organisation afford to do this or fundraise for this in the near future?

If an item is damaged and irreparable, you are able to deaccession it. If it might be repaired and used by another organisation you can consider transferring it – more details of this can be found in in methods of transfer, reuse and disposal section. If you are unable to manage any risk to people or other collection items by retaining the item you have a responsibility to either treat the item in order to remove the risk, manage the risk properly or destroy and dispose of it safely.

Note that it is unethical to intentionally allow an accessioned item to degrade beyond repair in order to dispose of it.

 $\rightarrow$  CASE STUDY

#### Hazardous materials at Birmingham Museums Trust

Birmingham Museums Trust reviewed and formalised its deaccessioning policy and process in 2018 which enabled them to increase the number of completed deaccessions.

In 2021 the team undertook a major decant of Birmingham Museum and Art Gallery ahead of rewiring works to the building. During this process it became clear that the policy was not suited to items containing significant hazards, or items in so poor a condition they were beyond repair as it was a 3-6 month process that included exploring potential transfer.

As part of the inventory undertaken during the decant museum staff identified objects that were beyond repair and/or contained significant hazards. For example, they found gas masks that contained asbestos, and a box with a broken mercury thermometer. They wanted to deal with these items as quickly as possible, ensuring responsible disposal.

The Trust's approved Collections

Management Framework already included
a system of delegated authority from
collections owners, Birmingham City
Council, allowing the Director to take



decisions on the immediate disposal of items that were a risk to health and safety, and items damaged beyond the point of recognition and use. However, the museum lacked a clear process to undertake and document this.

The team rectified this by tailoring paperwork to produce a simple single A4 document that outlined the nature of the object, and the reason for its expedited disposal, and these decisions were recorded at monthly collections committee meetings. The forms could be added to the collections records on their collections management system and the decisions were recorded on the formal meeting minutes. Following the formal decision making, the gas masks and thermometer were disposed of safely and the new paperwork ensured a streamlined and documented approach to dealing with hazardous or significantly deteriorated material far more quickly.

#### Duplicate items

- Is the item in better condition than the other duplicate item(s)?
- Does it have a unique associated history or associated data?
- Are multiple examples necessary for scientific research?
- Can you use the item in displays, engagement or learning and will deaccessioning enable this?
- Are duplicates of the item widely available at other museums?

If an item is a duplicate without a unique history, is underused and has little research potential, you should deaccession it. If multiple duplicates of the item can be found in other museums, you can consider deaccessioning without other considerations. In the case of these items, you might want to consider if another organisation can make better use of the item. More details of this can be found in methods of transfer, reuse and disposal section.

#### Deaccessioning for ethical reasons

- Has the item been identified through a consultative and considered approach?
- Have you proactively sought to deaccession for ethical reasons or has there been a request for the return of items?
- Have you referred to other guidance including our <u>Code of Ethics</u>, <u>Supporting Decolonisation Guidance</u> and <u>Arts Council England's Restitution and Repatriation:</u>
   <u>A Practical Guide?</u>

An item should be considered for deaccessioning and return if there is any suspicion that it was wrongfully taken during a time of conflict, stolen, illicitly exported or illicitly traded, unless explicitly allowed by treaties or other agreements, or where the museum is co-operating with attempts to establish the identity of the rightful owner(s) of an item. We encourage a proactive approach to this. In the case of requested returns, it is important to respond promptly setting out a timeline for enquiry, engaging with all relevant stakeholders, carrying out due diligence and recording details of the decision-making process.

#### Large items and space-saving

- Does the item fit with the museum's collections development policy?
- Is the item properly cared for and well-used in its current site?
- Does the item have more relevance with another organisation within the public domain?

It may be tempting to prioritise large items for deaccessioning in order to create a quick route to saving space and reducing costs. Identifying such items as priorities for a collections review is in keeping with the Code of Ethics. However, decisions on whether to deaccession should be led by a curatorial assessment and with reference to the other factors in this list which can inform ethical decision-making.

#### Check that you are legally able to transfer, reuse or dispose

Review the documentation of the item to ensure that the museum has legal title to remove it and that there are no conditions attached that might prevent the museum from following this course of action. (For high significance and high value items, you should consider taking legal advice if necessary.) If the museum is planning to dispose of unaccessioned items or items with poor provenance where formal title cannot be established, a risk assessment of this course of action should be undertaken. Any course of action should be proportionate to the value and significance of the item, and the likelihood that the museum would have to remedy the situation at a later date. This means that museums should take a more cautious approach towards high significance, high value items than low significance, low value items.

#### Extract from National Museums Scotland due diligence risk assessment matrix.

#### Matrix 1: Objects originating within the UK

Risk Category	Green	Amber	Red
Risk assessment	Low risk	Medium risk	High risk
Considerations			
Provenance status	Full provenance or some gaps in provenance Source has provided evidence of good title No evidence of having been stolen, smuggled or looted	No provenance available No evidence of good title No evidence of having been stolen, smuggled or looted	Significant likelihood of having been stolen, smuggled or looted
Any past, current, or potential future third party claims	No		Yes
Complete history of ownership 1933-45?	Yes	No	
Has the object been exported from the UK to Europe prior to 1945, and has possession of the object changed during the Nazi era (1933-1945)?	No	Yes, or unknown	
Has the object been exported from the UK since 1970 without a copy of the export licence or permission being supplied?	No	Yes	

→ See | Full due diligence risk assessment

#### Due diligence

Once an item has been identified for deaccessioning, you need to carry out due diligence checks to ensure that the museum has the legal right to transfer or dispose of the item. You should verify the history of the item and pay particular attention to the following:

Loan: If the item in question is on loan, contact the lender to discuss its return. Loans should not be part of accessioned collections but do equally need to be considered for review as part of good collections management practice.

Purchase: If the item was acquired with the assistance of external funds, contact funding bodies to discuss any planned course of action. Donation/bequest: Establish whether there were any conditions laid down at the time of deposition that may need to be considered in any ethical transfer, reuse or disposal. Consider whether it is possible and appropriate to contact the original donor to inform them of your decision to deaccession.

→ See Return to donor

Method of entry unknown: The museum must go to reasonable proportionate lengths to research the history of an item.

#### Making the decision to remove

Decisions to remove an item from the collection should be made by the museum's governing body, acting on the advice of relevant staff or must have been made through a system of delegated authority for deaccessioning decisions. Decisions to remove must not be made by a member of staff acting alone. The final decision relating to the deaccessioning of an item should be approved by the governing body directly or through a process of delegated authority and documented.

→ See | Establishing a deaccessioning process

#### Unethical decisions to deaccession an item can have significant consequences for a museum.

These are likely to include:

- loss or damage of public trust in all museums
- adverse publicity and long-term negative perceptions of the museum
- removal and exclusion from the Accreditation Scheme
- disciplinary action from the Museums Association (if a member)
- loss of access to funding streams.

Although these can be serious consequences of unethical decision making, following these guidelines will give you the confidence to undertake deaccessioning when you need to as part of good collections practice.

05

# Methods of transfer, reuse or disposal

## Gift or transfer to another institution/organisation within the public domain

Whilst in the past there has been a strong preference for the transfer of items to Accredited museums it is unsustainable for museums to pass collections amongst themselves never ultimately freeing up the total storage space of the sector. Museums should not consider taking on collections that they would not use and there may be other organisations that would be better able to provide access to the items. Therefore, wider transfer within the public domain, including groups that provide regular public access, is now considered a legitimate means of transfer.

#### $\rightarrow$ CASE STUDY

Transferring the Baldwin Locomotive from the Imperial War Museum to the Welsh Highland Railway

The Baldwin Steam Locomotive 10–12–D Class was acquired by the Imperial War Museum (IWM) in 1985 with the intention to restore it for display. This model was used by the Welsh Highland Railway (WHR) in the 1920's. Today WHR is a volunteer run working heritage railway with charitable objectives to "advance and educate the public in matters concerning railways". As the museum had been unable to progress its plan for restoration, the decision was made to offer the Baldwin to WHR so they could restore and eventually operate it. The Baldwin was moved to WHR in 2004.

In 2022, as part of a collections review the loan of the locomotive was reconsidered by the collections development committee. As IWM did not have any future plans to place the locomotive on public display at one of its sites, it was recommended as a candidate for deaccessioning and disposal.

Given the active restoration project, the historical connection and the existing and future public benefit of the locomotive being with WHR, IWM's collections development committee recommended it be offered directly to WHR as a gift. This recommendation was subsequently approved by IWM's Board of Trustees and the Department for Digital, Culture, Media & Sport and the transfer was completed in January 2023.

WHR's team of skilled volunteers are currently preserving the locomotive so that it can be run operationally for visitors to enjoy. The transfer of the Baldwin locomotive to Welsh Highland Railway will enable continued public access and overall greater public benefit.



#### Things to consider:

- How would the transfer of the item to another museum help fulfil your commitment to communities?
- What is the potential for increased use of the item through transfer to an organisation within the public domain or providing regular public access?
- Is the receiving organisation able to provide adequate care and opportunities for access and/or public benefit?
- Would the receiving organisation be able to provide care and opportunities for access with information or training from the deaccessioning museum?
- Who will cover any costs involved in the transfer e.g. transportation costs?
- How might the public react to this decision?

#### Steps to take:

- ensure that the museum is legally able to remove the item by free gift or transfer
- if possible, identify suitable organisations within the public domain or providing regular public access and approach directly
- if no organisation is identified directly, inform the museum sector and other relevant groups of availability of items through the Find an Object listing service or other channels
- once a new recipient is identified, agree terms for transfer (cost, responsibility for transport, advice for care etc.)
- ensure transfer of legal title to receiving institution
- document the item and the process.

#### What to do if this method is unsuccessful:

- consider whether another method of transfer, reuse or disposal might be suitable
- revisit the decision to remove the item.

#### $\rightarrow$ CASE STUDY

Transfer of cameras from Science Museum Group collection for use in colleges and universities

In 2021 the Science Museum Group conducted a review of film cameras acquired from the 'Kodak New for Old' camera exchange scheme which enabled customers to receive money off a new camera in exchange for their old camera. The collection was made up of around 2000 film cameras with a great many duplicates. The Group assessed each camera for unique stories or features, duplication, condition, and hazards. This review enabled the Group to better research the cameras, identifying unique examples not represented elsewhere in the collection as well as highlighting duplicate cameras that could be rehomed.

Cameras identified for deaccessioning were made available for transfer and advertised on the Museums Association's Find an Object page and the Science Museum's website. With no interest from museums, it was agreed that there could still be a public benefit if the cameras were offered to colleges and universities to be used by students and teachers across photography or art departments.

After extensive research into colleges and universities with art or photography departments near to the Group's museums, the institutions were notified that cameras were available to interested students, teachers, or practitioners who wished to work with the items. While some of the cameras still functioned and were useable for projects, others could be used as teaching tools, for displays, or for art projects.

Seventy institutions were contacted across Wiltshire, London, Manchester, Bradford and York, with cameras transferred to 28 different colleges and universities around the country, including Leeds Arts University, Goldsmiths and New College Swindon. Students at Salford University have already embarked on a project to reuse the cameras, creating social media content with the cameras which promotes sustainability in photography.

A total of 1,473 cameras have been transferred. Around 500 cameras were kept in the collection and better documented as a result of the review, making them more accessible to researchers and the public. The Group published a <u>blog post</u> to showcase the review process and demonstrate how the cameras were assessed.

#### Return to donor

You may consider returning items to donors where it appears impossible to keep them in the public domain. We recommend that you only consider returning an item to a donor once the item has been offered to other organisations in the public domain, unless this is in the museum's best interests and it is the public interest such as: conditions laid down on donation; an item having a particular personal significance to the donor and a low cultural value. Return of items to the descendants of donors may prove problematic and should be given careful consideration.

#### Things to consider:

- whether the museum is legally able to return the item (for instance, charitable organisations would need full approval of trustees and to be within its articles/ governance)
- the length of time since the donation was made and the likelihood of the donor's details being up-to-date (it may be useful to set a specific time period when involving donors – for example if the item was donated in the past 10 years, and to consider proportionality here)

- risk of family disputes over the item
- how might the public react to this decision and what are the potential consequences of negative publicity.

#### Steps to take:

- record legal ownership
- contact donor to ascertain whether they would like the item back
- ensure transfer of legal title to recipient
- document the item and the process.

#### What to do if this method is unsuccessful:

- consider whether another method of transfer, reuse or disposal might be suitable
- revisit the decision to remove the item.

#### Restitution and repatriation

Restitution and repatriation sit outside of these guidelines. In the case of restitution or repatriation you should refer to Arts Council England guidance – Restitution and Repatriation: A Practical Guide for Museums In England and/or the Museums Association's Supporting Decolonisation in Museums

#### Sale of an item within the public domain

There is a tradition of free gift or transfer between institutions/organisation within the public domain and we recommend not offering items to other museums by sale in the first instance. Requesting payment from other publicly funded museums may affect the likelihood of a new location being found and make it less likely that items will be retained within the public domain. However, some museums may choose to sell to other museums in the first instance. This may be for example, because the institution purchased the item with its own funds or has invested a significant amount of money in conserving it.

Any income generated from sale must be invested in the long-term benefit of the museum and its collections. This might include care of, access to and engagement with the collection but is not likely to include short-term funding of existing posts or current activities. Our ethics committee can provide further support on ethical decision making.

#### Things to consider:

- What are the benefits to the public from this sale?
- What are the benefits to the museum from this sale?
- Is the current market price or the original purchase price being sought for the item?
- What is the likelihood of another museum being able to purchase the item?
- What course of action will be taken if no museum is able to purchase the item? (e.g. offering the item at a reduced price or as a long-term loan).
- How will the proceeds of the sale be used?
- How might the public react to this decision?

#### Steps to take:

- if possible, identify organisations that might be interested and approach directly
- if no museum is identified, inform the museum sector and other relevant groups of availability of items
- seek expert independent advice on the item's financial value and recommend any purchaser does the same

- ensure transfer of legal title to recipient
- ensure transparency and communicate the process
- document the item and the process.

#### What to do if this method is unsuccessful:

- consider whether another method of transfer, reuse or disposal might be suitable
- consider an alternative course of action (such as offering the item for transfer or sale to an organisation outside of the public domain or providing regular public access
- revisit the decision to remove the item.

#### Sale of collections and the Code of Ethics

The Code of Ethics does allow for the sale of collection items but section 2.9 offers clarity on cases where the item is being removed from the collection for the purposes of generating income:

- 2.9 Recognise the principle that collections should not normally be regarded as financially negotiable assets and that financially motivated disposal risks damaging public confidence in museums. Refuse to undertake disposal principally for financial reasons, except where it will significantly improve the long-term public benefit derived from the remaining collection. This will include demonstrating that:
- the item under consideration lies outside the museum's established core collection as defined in the collections development policy
- extensive prior consultation with sector bodies and the public has been undertaken and considered

- it is not to generate short-term revenue (for example to meet a budget deficit)
- it is as a last resort after other sources of funding have been thoroughly explored.

If you require further advice please see the joint statement on unethical sale from museum collections

→ And Supporting difficult decisions

## Transfer to museums outside of the UK (excluding restitution/repatriation)

Following research carried out as part of a collections review, you may decide to dispose of an item to a museum outside the UK. This may be done if it is in the interests of the museum and the wider public benefit. Unless it is in the best public interest, for legitimate research purposes or there are extenuating circumstances, such as transfer on ethical grounds (for example, repatriation), this should only take place after items have been offered to UK institutions/organisations within the public domain.

In the case of museums in Northern Ireland this can be extended to include the Republic of Ireland. There can be legal implications of a disposal to a museum outside the UK (e.g. under charity law) so you should seek legal advice before undertaking this type of transfer. In exceptional circumstances items may be subject to export deferral by the Secretary of State, if this is the case you should seek specialist advice such as Arts Council England's guidance on <a href="Export Licensing">Export Licensing</a> and <a href="Reviewing Committee.">Reviewing Committee.</a>

#### Sale outside the public domain

Sale outside of the public domain should only be undertaken after you have established in a transparent way that no institution/ organisation within the public domain is able to take the item. You should first advertise the availability of the item on the Find an Object web listing service. Undertaking this course of action should present minimal risk to the reputation of individual museums and the public trust invested in the sector as a whole, if undertaken with objects identified with low cultural or financial value. In the case of objects with high cultural or financial value, sale outside of the public domain should be undertaken with additional support and guidance from the MA and in consultation with sector bodies.

→ See | Making the decision to remove

Any income generated from sale must be invested in the long-term benefit of the museum and its collections. This might include care of, access to, and engagement with the collection but is not likely to include short-term funding of existing posts or current activities. Our ethics committee can provide further support on ethical decision making.

#### Things to consider:

- Is ownership of the item certain?
- Can the provenance of the item be accurately described?
- What are the benefits to the public from this sale?
- What are the benefits to the museum from this sale?
- Can adequate care be provided for the item?
- Will the public have any access to the item?
- Are conditions going to be placed on any sale?
- What will the proceeds be spent on?
- How might the public react to this decision?

#### Steps to take:

- identify and inform potential organisations or individuals
- select a method of sale
- ensure transfer of legal title to new recipient
- ensure transparency and communicate the process
- document the item and the process.

#### What to do if this method is unsuccessful:

- consider whether another method of transfer, reuse or disposal might be suitable
- revisit the decision to remove the item.

#### Methods of sale

When you are deciding upon a method of sale it is important to consider the requirement for openness and transparency (see section on Communicating the process) and the need to avoid any conflicts of interest. To ensure transparency, we recommend that where appropriate, museums sell items at public auction.

Museum staff and members of the governing body are not allowed to purchase items being disposed of by their museum. It is also best practice that museum staff do not acquire material from other museums.

- 1. Direct sale to museum/public institution. You should seek a specialist independent valuation. We recommend that the purchasers also obtain their own independent valuation. You may decide to sell at below the market value to ensure acquisition by another museum.
- 2. Sale on the open market. If items are not being sold directly to a body within the public domain, we recommend that they are sold at public auction. This ensures that there is openness and transparency. You might also wish to think about the timing of the sale, its location and choice of auctioneer. Online auction sites such as eBay can be considered as part of this process.
- 3. Sale to a private individual. It's important that you consider the need for transparency and openness in any sort of sale and therefore this course of action may not be appropriate.

#### Reuse/recycling

If a new location cannot be found and other methods are not appropriate, you may consider the reuse, repurposing or the recycling of an item through sale as scrap or as a gift to a charity. This is a far preferable option over destruction and museums should consider the environmental impact of physical disposal as much as possible.

#### Things to consider:

- How will this course of action benefit the public?
- How will this course of action benefit the museum?
- Is any potential financial value being realised?
- How might the public react to this decision?
- Is there anything that might prevent safe reuse/recycling of the object (for example previous conservation treatments).

#### Steps to take:

- select the method of recycling;
   if necessary seek expert advice
- ensure method of recycling does not pose a risk to staff or the public
- ensure transfer of legal title to receiving body
- ensure transparency and communicate the process
- document the item and the process.

#### $\rightarrow$ CASE STUDY

### Reuse of a deaccessioned caravan at Museums Worcestershire

**Worcestershire County Museum cares** for a nationally significant collection of Romany Vardo, as part of the Transport Collection. Fifteen years ago a decision was made to collect a 1920's touring caravan, in a very dilapidated condition. Curatorial advice at the time was that the caravan did not build upon the museum's mission to expand and enhance the Vardo Collection and that in its current state, it was too dangerous to display due to broken glass, degrading lead and an unstable chassis. An exception was made however, due to its significance in demonstrating the development of leisure caravans over time. The caravan, named "Angela", was acquired and placed in storage awaiting conservation.

When conservation work began, it was very apparent that the caravan had been extensively restored in the past, leaving very little of the original vehicle. The original components that did remain were in such a poor state of repair that they would need to be replaced to make the vehicle safe. Therefore, the decision was made to deaccession the caravan but to retain Angela within the museum as a practical asset.

The Angela is currently undergoing a full restoration so it can be safely used for visitor exploration, museum learning, interpretation, and wellbeing sessions. There are also plans to use the caravan for glamping in the museum grounds offering potential for income generation.

Space created by the deaccessioning meant that when an original Vardo was discovered in Kent, the museum was able to acquire this item and expand one of its most significant collections.



#### Destruction

The destruction of items might be necessary in some cases (e.g. because they are damaged beyond all further use, or pose a risk to the health and safety of individuals or the collection).

#### Things to consider:

- Health and safety: does the museum have the expertise to destroy the item safely or is another agency better able to undertake this course of action?
- What will be the environmental impact of the destruction and disposal of component parts?
- How might the public react to this decision?

#### Steps to take:

- select the method of destruction; if necessary seek expert advice (for example, from the Health and Safety Executive)
- ensure method of destruction does not pose a risk to staff or the public
- ensure that destruction takes place
- reuse/recycle as many component parts as possible
- document the item and the process.

#### Destructive analysis

Some collection items could be subject to destructive analysis, for example natural history specimens. It is rare that this process would destroy the entire object and associated data and therefore this process is considered to sit outside of these guidelines. Decisions to undertake destructive analysis should be undertaken in line with our **Code of Ethics**.

#### Recording the process

You must document all aspects of the process to the Spectrum standard.

For further details on this please see the **Deaccessioning and Disposal** section of Collections Trust's website.

#### Communicating the process

As with all areas of museum practice it is important that you ensure transparency and openness with the public, colleagues and stakeholders when you undertake deaccessioning of collections. You should think about how you can use your communication channels to consult with the public around the process.

Good, proactive communication will increase the public's understanding and awareness of this area of museum practice. You should adopt an open and honest approach that explains the context and potential benefit of the planned course of action. You should carefully consider the use of language avoiding any jargon that could cause misunderstanding over the final outcome of the process (for example the use of terms such as disposal on its own is often misunderstood). It is important to set out publicly the museum's overall policy on deaccessioning against which individual cases can be explained.

The level, approach and timing of any communication will depend on the nature of the items being disposed of. The whole workforce, including those not directly involved in the deaccessioning process, should have an understanding of your museum's policy and process, and – for high-profile individual cases - they should also understand the reasons

behind any decisions and any proposed course of action. This will help to ensure that the process is communicated accurately to those outside the museum. You should also consider ways of communicating information to key stakeholders such as Friends of the museum and regular visitors. This could include briefings posted on websites and in newsletters.

If your deaccessioning process has a particularly positive outcome for the wider public you might want to consider ways to publicise the work more, for example by highlighting it to the Museums Journal so that others in the sector might learn from the work.



#### Where to go for help

- → Charity Commission for England & Wales
- → Charity Commission for Northern Ireland
- → Collections Trust
- → Institute of Conservation (ICOM)
- → International Council of Museums (ICOM)
- → Museums Association
- → Scottish Charity Regulator
- → Subject Specialist Networks Consortium

#### Additional resources

- → Active Collections
- → UCL Collections Review Toolkit
- → CyMAL Why do we have it?
  A Significance Process
  and Template
- → Collections Significance Assessment Toolkit for Welsh Museums
  - → Welsh
  - → English
- → Museums Association Museums for Climate Justice Campaign
- → Museums Association Supporting Decolonisation in Museums

#### Resources

## Front cover image: Science Museum Group staff assessing collections. ©Science Museum Group



Museums Association
42 Clerkenwell Close
London EC1R 0AZ
T: 020 7566 7800
www.museumsassociation.org