Joint statement – unethical sale from museum collections

27/03/2015

We believe this will erode the long-held and hard won trust that the public have in museums and will cause irreversible damage to the UK's cultural inheritance.

Museum collections, founded on civic conviction, public investment, and the goodwill and support of donors, represent an extraordinary act of generosity from one generation to another. It is clear that even when legally owned by museum governing bodies, they are primarily held in trust as cultural, not financial, assets. It is also clear that those responsible for them have a responsibility to protect and use these collections for the benefit of the public.

The unethical sale of items from museum collections constitutes a serious breach of trust with the public, supporters of museums and donors who have entrusted items to museums for perpetuity. This high level of trust was evidenced in a survey of public attitudes conducted by the Museums Association (2012) and is bound up with the long-term purpose of museums; people value the permanence of museums and their collections.

We recognise that, in the current financial climate, museum governing bodies face very difficult choices in trying to maintain services and that the responsibility for managing and caring for collections can be a difficult one. However, we do not accept that unethical sale from museum collections is an effective solution to the greater challenges that museums face.

The UK museums sector has worked within the Museums Association Code of Ethics for museums for more than 37 years. In Accreditation, it has the most mature and developed standard for museums practice in the world, as well as clear guidance around acquisition and disposal for collections. The principles of the code of ethics in relation to collections development are enshrined within Accreditation. Both the code of ethics and Accreditation make it clear that whilst financially-motivated sale from collections might be ethical under rare and exceptional circumstances, this must be determined on a case-by-case basis under the independent oversight of the Museums Association Ethics Committee and Arts Council England's national Accreditation Panel. The overriding expectation in all cases of disposal is that collections should remain in the public domain.

Museum governing bodies voluntarily commit to abide by the Museums Association Code of Ethics and the Accreditation Standard. These well established and internationally respected standards must be observed if museums are to maintain the essential trust of the public, donors and funders in looking after the collections held in their name.

Organisations that choose to act outside of the widely adopted standards for managing and caring for public collections will find that it has a direct impact on their relationships with development bodies and funders and the ability to access support. For example:

- Arts Council England will remove Accreditation from the museums run by the governing body in question. This will affect the ability to access Arts Council England museum funding. Likewise it will affect access to funding from the Welsh Museums Federation and NIMC.

- Museums Galleries Scotland, as Scotland's National Development Body, if not already in dialogue with the organisation in question will seek to enter into one. Any organisation/governing body that has been excluded from Accreditation will be ineligible for any MGS funding streams that use Accreditation as one of the criteria and, if it holds a Recognised Collection, will also be removed from the Recognition Scheme.
- The Heritage Lottery Fund will take into account the governing body's track record of the stewardship of its heritage when considering any future application. In addition they will not be eligible for funding in any future programmes that use Accreditation as one of the criteria.
- The Art Fund expects the museums it supports to care for their collections ethically, and takes this into consideration across all its funding programmes and partnerships. The governing body will not be able to apply to any current or future funding programmes that use Accreditation as a criterion, including its grants for acquisitions.
- The Museums Association expects all museums and museums governing bodies to abide by the MA Code of Ethics. Where a museum is found to have breached the Code through unethical sale from its collection, it will be barred from membership of the MA and will not be able to apply for funding from the MA for the duration of its loss of membership.
- Members of the National Museum Directors' Council will not enter into any further partnership activity with the museum, including object loans, and will reconsider any existing partnership arrangements.
- The Association of Independent Museums will take into account an applicant's track record in the stewardship of their heritage when considering any grant application, and applicants that have been excluded from Accreditation will not be eligible for any AIM grant schemes which use Accreditation as one of their criteria.
- If the museum is an accredited archive service, Archive Service Accreditation may be withdrawn in cases of financially-motivated disposal.

Unethical sale also risks wider reputational damage to museums and organisations associated with them. Bodies such as Arts Council England and the Heritage Lottery Fund have wider funding relationships with governing bodies beyond museums, and these relationships may well be damaged by cases of unethical sale. Likewise loss of Accreditation is likely to affect the ability of organisations to access potential partners, loans and donations.

Museums play an essential role in holding items of artistic, cultural, historic and scientific importance in trust for society. Their collections represent important bodies of knowledge and evidence of our material culture which have developed over many years and deliver a number of important public benefits, including public display, research, learning opportunities, economic value, and cultural and scientific exchange. More broadly, they contribute to our wellbeing, help create better places and help us to understand the world we live in.

We very much want to work with museums to find the most effective ways to develop, protect and engage with our public collections so that we can meet our collective responsibility to pass on this precious legacy to the next generation.

Notes

1. The Museums Association Code of Ethics is developed jointly by museums professionals and the public. It defines the consensus across the museums sector on the principles that should guide museum practice. Museums voluntarily commit to upholding the Code of Ethics. Ethical issues can be referred to the Museums Association Ethics Committee for advice and, where necessary, adjudication. Further information is available about the Museums Association Code of Ethics for Museums and the MA's guidance on Disposal and Financially Motivated Disposal.

2. The Museum Accreditation scheme is the UK standard for museums and galleries. It defines good practice and identifies agreed standards, thereby encouraging development. It is a baseline quality standard that helps guide museums to be the best they can be, for current and future users. The scheme is administered by Arts Council England in partnership with CyMAL: Museum, Archives, Libraries Wales; Museums Galleries Scotland and the Northern Ireland Museum Council. For further information, see the ACE website

3. This statement applies to all accessioned collections held within museums, including archives. For further information on accreditation for archives, see Archive Service Accreditation and the Archive Service Accreditation Committee's Statement on the Withdrawal of Accredited Status (2014).