

<b>Subject:</b>	<b>Royal Pavilion and Museums Trust Arrangements</b>		
<b>Date of Meeting:</b>	<b>25 January 2018</b>		
<b>Report of:</b>	<b>Executive Director Economy, Environment &amp; Culture</b>		
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<b>Wards affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE**

**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 The purpose of this report is to seek approval for the steps necessary to transfer the Royal Pavilion and Museums from the City Council to a charitable entity. This charitable entity (“the Trust”) would have the responsibility of managing the Royal Pavilion and Museums, the Brighton Dome & Brighton Festival and the Music and Arts Service.
- 1.2 There has long been an ambition to create a single cultural Trust that brings together RPM and Brighton Dome & Brighton Festival, with different options to achieve this aim explored over an extended period of years. In January 2017, Policy, Resources & Growth Committee gave approval to develop the necessary legal, commercial and governance arrangements for a two stage solution which entailed establishing a new Trust to manage the services for an initial period, before merging this new Trust with the existing Brighton Dome & Festival Ltd (BDFL).
- 1.3 The move to a single cultural trust is more relevant than ever in the light of sustained financial pressures experienced by local authorities over many years through reducing government grant support and ever growing social care pressures. The trust presents a viable long-term business model that will secure provision of the RPM and museums for the future, which can take full advantage of charitable giving, tax and rate relief benefits, is able to run with lower corporate and central overheads, and can access a range of fundraising and commercial development opportunities.
- 1.4 Through the development of the detailed Heads of Terms for the project it has become clear that progressing straight to a single Trust presents an opportunity to move quicker and reduce duplication. The recommended way of meeting the original objective is therefore to move straight to a single entity, rather than go through a two stage process, in order to give the best opportunity for success in establishing the ongoing resilience and sustainability of the Royal Pavilion & Museums. On 11<sup>th</sup> January 2018, Tourism, Development & Culture Committee agreed to recommend to Policy Resources & Growth Committee to move to a single trust in one stage rather than two stages, revised a implementation date of 01<sup>st</sup> July 2018 to allow for further

engagement with staff and unions.

- 1.5 A contractual arrangement, rather than the grant (as foreseen at the time of the previous report), has been identified as more appropriate for articulating the relationship between the Council and the Trust, since it enables the service to be specified with appropriate professional standards, and is also more VAT efficient.
- 1.6 This report informs the Committee of the work that has taken place between council officers, the Shadow Board for the Trust and the BDFL Board and executive, to progress the development of the Heads of Terms of all aspects of the transfer including the leases of property, the loan of the collections, the staff transfer (TUPE) and the transfer of business undertakings. It seeks approval for the principal terms of the transactions, as set out in the appendices, and delegation of authority to conclude detailed negotiations with BDFL.

## **2. RECOMMENDATIONS:**

That the Policy Resources and Growth Committee:

- 2.1 Notes the report and associated information.
- 2.2 Agrees the proposal to move the management of the service to a single cultural trust in one stage rather than two stages, with a transfer date of 1st July 2018;
- 2.3 Agrees the proposal to proceed by way of a contract for services with BDFL, rather than a grant;
- 2.4 Approves the principal terms of the transaction as set out in Appendix 1 and Appendix 3 and notes the indicative (draft) heads of terms in Appendices 1a and 1b;
- 2.5 Approves the policies set out in Appendix 2 which establish the basis on which the charity will manage the museum collection, and notes that the remaining policies currently in the process of being updated will be considered for adoption by the Tourism, Development & Culture Committee on 8 March 2018, and that the BDFL Board will be required to adopt them under the terms of the service contract;
- 2.6 Agrees a service fee to be paid to BDFL in accordance with the terms of the service contract. In 2018/19, this will be a proportion of the planned resources of £1.181m (subject to negotiation to take account of the phasing of the budget over the year). In 2019/20 the fee will be £1.119m and in 2020/21, the fee will be £1.065m;
- 2.7 Notes the intention to award a conditional grant from Modernisation Funding to support BDFL with start-up costs following approval of a business case by the Corporate Modernisation Delivery Board.
- 2.8 Delegates authority to the Monitoring Officer, in liaison with the Executive Director for Economy, Environment & Culture, to consult with the Charity

Commission and amend the governing documents of Preston Manor, as set out in 3.11 below;

- 2.9 Authorises the Executive Director for Economy, Environment & Culture, after consultation with the Monitoring Officer and the Section 151 Officer to finalise negotiations with the Trust, and take all steps necessary or incidental to the implementation of the proposals, including determining the final contract fee and maintenance contribution for 2018/19, authorising any grant required as described at 2.1.7 above, and seeking the consent of the Secretary of State (if necessary) in relation to the leases; and
- 2.10 Authorises the Monitoring Officer to prepare and execute any documents or agreements necessary to give effect to the proposals.

### **3. BACKGROUND INFORMATION**

- 3.1 The Royal Pavilion & Museums comprises 5 museums, including nationally and internationally significant collections, and associated activities. It is an Arts Council England “Major Partner Museum” and also leads museum development services for South East England.
- 3.2 This project is part of the council’s Modernisation programme, which has examined how to safeguard the future of the Royal Pavilion & Museums service in the changing operational context and challenging financial environment of reduced council budgets and growing social care cost pressures. The work has looked at alternatives to the City Council directly managing the service in order to achieve a sustainable future, to enable all the sites and the services within the RPM to continue to deliver on the priorities for the city and to maintain and build on the success of the Royal Pavilion & Museums as a nationally significant museum service.
- 3.3 Commitment to and investment in the long term future of the Royal Pavilion & Museums will help to safeguard the critical role that arts and culture (including heritage) play in the future success of the city. Arts and culture contribute to the health and well-being of the city, help to build diverse communities and improve our quality of life. Great art and culture can inspire learning for people of all ages, boost our local economy and enhance our national and international reputation – adding vibrancy to our city and contributing to economic growth.
- 3.4 Members have supported the aim of creating a single charitable entity (Trust) to manage the Royal Pavilion Estate (RPE) including those assets and programmes currently managed by Brighton Dome & Festival Ltd. Creating a single Trust to manage the delivery of activity would enable the Royal Pavilion, Brighton Dome & Royal Pavilion Garden, the museums and Brighton Festival to be programmed, promoted and operated as one, providing greater potential for fundraised and commercial income and resulting in cost efficiencies. A more coherent heritage and contemporary art offer for residents and visitors would lead to service improvement and a greater impact on individuals and communities.
- 3.5 There are anticipated benefits to the City of a new charitable Trust. The proposed charitable Trust will be committed to enriching and changing lives of

residents and visitors through arts, heritage and culture. It will have a vital role in creating Brighton and Hove's sense of place, building on its radical past to create an innovative future. It will focus on ensuring that its services maximise the collective potential of its cultural portfolio and through its partnerships it will support the delivery of the city's priorities.

- 3.6 The proposed Trust arrangement will help to ensure a sustainable level of building maintenance to the portfolio of historic buildings through the Trust's ability to generate funding to support the council's core maintenance budget contribution.
- 3.7 A key aim of moving the Royal Pavilion & Museums to Trust status is to develop a sustainable funding model for the museum portfolio at a time when local government funding is reducing. The report to January 2017 Policy, Resources & Growth Committee outlined that some of the possible benefits of establishing a charitable operation as:
- Ability of the organisation to focus on its core business and customers;
  - An accountable independent entity having greater ability to respond more quickly to market trends and opportunities;
  - Public recognition and confidence which can assist with fundraising;
  - Business benefits including gift aid on admissions; business rate relief and cultural exemption on business income;
  - Ability to operate on longer term financial and planning time frames which fits with the core nature of museums;
  - Clearer brand profiling, helping with marketing and fundraising;
  - Greater freedom to be enterprising and generate new income streams;
  - Systems and processes aligned to the key purpose of museums;
  - The ability to build up and recycle surpluses into the business to maintain the buildings to an appropriate standard;
  - A nationally recognised museum service (which is not supportable within current Council budgetary controls);
  - Being able to market-test support service contracts to get the best deal for this type of business;
  - Having the freedom to be more innovative, particularly around digital development and ICT systems, to align these better with museums' needs, rather than to meet multiple council requirements and constraints.
- 3.8 As well as overseeing the operation and management of the whole of the city's museums portfolio, the new Trust will also facilitate the aim of reunification of the Royal Pavilion Estate to:
- Conserve the Royal Pavilion Estate's Grade I and II listed buildings for the future; reconnect the historic buildings and landscape to create a coherent Royal Pavilion Estate;
  - Develop and greatly enhance people's understanding and appreciation of the Royal Pavilion Estate and its historic significance; enable more people to learn about and enjoy the historic royal estate through new approaches to creative and artistic programming;

- Ensure the future sustainability and resilience of both the Royal Pavilion & Museums and Brighton Dome & Festival Limited.

The first phase of this work at the Corn Exchange and Studio Theatre commenced on site in February 2017 and Phase 2 funding applications are now being submitted.

- 3.9 Work was commissioned in 2016 to explore the options for future management of the RPM. The report provided by PwC recommended moving the service to a charitable third party operator, as this model offers the best opportunities to address the planned budget reductions by enabling increased income to be generated from charitable and private sources, and taking advantage of the benefits of Gift Aid, together with savings from business rate relief. It recommended that the council establish a new charity for this purpose as part of its modernisation programme.
- 3.10 Based on this advice, a report was taken to Policy, Resources & Growth Committee on 19 January 2017 recommending a two stage approach to achieving the objective of the proposed new Trust. The Committee agreed to establish a new Trust into which the RPM (including the museums outside the RPE) would transfer on 1st April 2018, with the explicit intention of merging this charity with BDFL (subject to Trustees' approval) within four years. A further report was required to be brought to Committee in January 2018 to approve the Heads of Terms of the transfer and the terms of a grant to the new body.
- 3.11 Since January 2017, work has progressed well to establish the new Trust. This has included appointing a Shadow Board, drafting Heads of Terms for a service contract, collections agreement and leases for property, and doing the groundwork for TUPE transfer, as well as scoping the IT and property maintenance issues, and developing a financial plan and draft constitution for the new entity.
- 3.12 Tourism, Development & Culture Committee met on 11 January 2018 and reviewed progress. The Committee agreed to go to a single trust with Brighton Dome and Brighton Festival in one stage rather than two stages, but with a revised implementation date of 1 July 2018 to allow for further meaningful engagement with staff and Trade Unions.
- 3.13 The council was appointed as the sole corporate trustee of the Booth Museum and Stanford Museum and Public Park (Preston Manor). The council will remain corporate trustee after the proposed transfer but will grant leases of the buildings and use of the collections to the Trust. The council must continue to ensure it acts exclusively in the best interests of Booth Museum and Preston Manor and avoids any conflict of interest. The governing documents will need minor amendment to reflect the new governance arrangements.

#### Moving directly to a single Cultural Trust for the City

- 3.14 In January 2017, Policy, Resources & Growth (PR&G) committee gave approval to establish a new charitable Trust to manage the Royal Pavilion & Museums (RPM) from April 2018, with the intention of merging it with Brighton Dome & Brighton Festival (BDFL) within four years.

- 3.15 It has since become apparent that it would be both possible and preferable to move directly to a single cultural Trust for the city that brings together both the RPM and BDFL through awarding a contract to BDFL (which will change its name, update its objects and enhance its Board), instead of first establishing a new charitable Trust and then the merger taking place at a later date.
- 3.16 In preparing for the new Trust, officers reviewed the risks and concluded that the proposed two stage process would increase disruption for staff, result in the duplication of some costs and impact upon the resilience of the new entity. Moving directly to a single cultural Trust for the city would allow the long term vision to be achieved more quickly, create greater resilience, and limit the operational impact of having a second major transfer in a few years' time, as well as accelerating the full financial and service benefits of bringing together the RPM and BDFL.
- 3.17 Officers have also been working with the Shadow Board to establish the nature of the funding arrangement and explored whether a contract rather than a grant would be beneficial both financially and in terms of protecting the council's assets and quality of services. The initial assumption was that a 25 year grant would be provided to the new Trust. However, through a contractual arrangement the council would be able to more clearly set out its requirements for managing the assets and collections, as well as specifying the expectations in terms of service quality to ensure the effective management of the whole museum portfolio. In addition, it has become clear that the VAT implications of a grant are likely to be financially disadvantageous to the new Trust in comparison with a contract.
- 3.18 In September 2017, officers sought Leading Counsel's advice in relation to awarding a contract rather than a grant, and the associated risks of doing so. The question of whether it is possible to award a contract directly to Brighton Dome & Festival, thereby accelerating progress towards the agreed outcome of a single operation was also revisited. Advice was therefore sought on the implications of the council entering into a contract (rather than a grant) with a new trust (the first step in the two stage process) or moving directly to a single Trust that encompasses both RPM and BDFL, through the award of a contract directly to BDFL.
- 3.19 The Leading Counsel's advice confirmed that there is a legal argument which would allow the council to award a contract to BDFL without conducting a procurement. This argument is known as the "exclusive rights derogation". BDFL has a long term land interest in the Dome (an exclusive right) so is the only party able to deliver all the cultural services which encompass both the Royal Pavilion and Museums and the Brighton Dome and Brighton Festival, their assets, and collections.
- 3.20 A single stage process has the benefits of achieving the long term aim of a single entity by July 2018, whereas a two stage process would not achieve this for several years. A single entity on the Royal Pavilion Estate will have the advantages of joined-up services and joined-up programming, helping to raise the profile of the museums service further both nationally and internationally, creating a world class destination for the city. A single entity will also benefit from greater business efficiencies across management and support services.

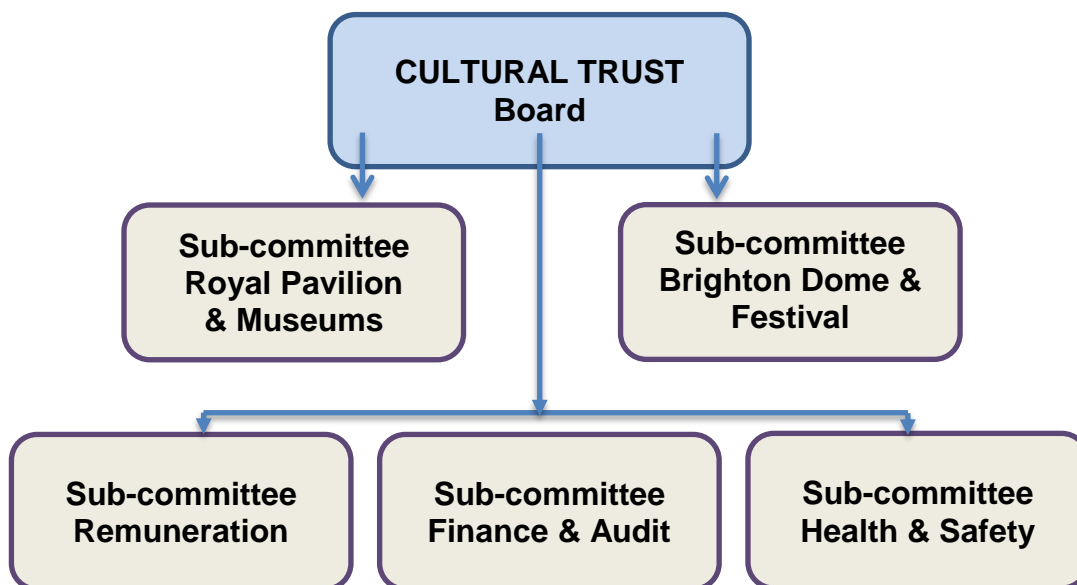
- 3.21 Moving straight to a single entity will also minimise the costs and disruption that come with such a transfer. In a single stage process, legal fees would be minimised, staff would only TUPE once, contracts will only need to be novated once, and the RPM would be moving into an organisation which already has an infrastructure in place. BDFL has also shown it is capable of taking on a new service from the council (albeit a smaller one), with the Music & Arts service transferring to BDFL in July 2017.

Given all the reasons which have emerged in favour of awarding a service contract rather than a grant, together with the benefits of reunifying the Royal Pavilion Estate, whilst also establishing a single cultural Trust with the aim of safeguarding the future of arts, culture and heritage for the City, officers recommend that the council moves straight to a single cultural Trust for the city that incorporates both RPM and BDFL. This approach is also supported by Arts Council England, which is the major funding partner for both RPM and BDFL.

- 3.22 Discussions with staff have been taking place concerning the move to a Trust. These have included monthly staff reference groups since June, as well as opportunities for staff to input and have queries answered via FAQs and an online survey. Since the change of approach to a single step process has been considered, there have been briefings with staff in November, December and January, including an all-staff session with the Shadow Board. Members of staff have raised a number of concerns about the transfer to the new organisation. This has included a petition from staff. Staff and Trade Union engagement will be significantly increased to take account of these anxieties. This will include staff talking directly to the BDFL management prior to transfer which will help to assuage their concerns. Staff will also be encouraged in the run up to transfer, to lead on aspects of the mobilisation. The programme of staff engagement to date, and the plan for future engagement are provided in the appendices to this report.

#### Ensuring effective governance of the new Cultural Trust

- 3.23 Robust governance arrangements for the new charitable Trust will be key to ensuring that it is able to operate effectively and deliver the aspirations for the city, whilst also protecting the interests of the council. The aim would be to use the current corporate entity of the Brighton Dome and Festival Ltd, but change its purpose, its name, its Board, and its structure, to create a new organisation which is fit for the purpose of managing a high profile and well-respected museums service, alongside Brighton Dome, Brighton Festival and the Music and Arts Service.
- 3.24 The Board will initially have two new sub-committees, in addition to its existing Finance & Audit, Remuneration and Health & Safety Committees. One will have a focus on the Royal Pavilion & Museums, and will include the current members of the Shadow Board. The other will focus on the Dome, the Festival and Music and Arts service. Both parts of the Trust will retain their identities, and will share central support services.
- 3.25 Representatives of the staff at BDFL observe meetings of the Board. Post transfer, this will include staff at RPM.

**Proposed governance structure:**

- 3.27 The Shadow Board has been appointed to ensure the appropriate range of expertise and experience for the effective future management of the RPM. Members of the Shadow Board not currently on the Board of BDFL will join the new Board and form the new sub-committee for the RPM. It will give consideration to strengthening its membership in terms of diversity, and its expertise in museums and the management of heritage buildings.
- 3.28 The new Trust Board will have elected member representation, to be agreed annually at Full Council. The Council-nominated trustees will not exceed 19% of the total number of trustees of the charity, to avoid issues of control. It is currently anticipated that there will be cross-party representation through 3 elected member seats on the new Trust Board.
- 3.29 The Shadow Board has played a key role in working with officers to develop the necessary legal and commercial agreements required to establish the new Trust. Officers have been undertaking the due diligence necessary to ensure that the newly established Trust is legally robust, appropriately financed, and appropriately staffed.

**Ensuring effective management of the Royal Pavilion, Museums, its buildings, assets and collections**

- 3.30 Council Officers have been working with the Shadow Board to develop the Heads of Terms of the agreements between the new Trust and the council. Together these agreements will aim to ensure that the assets, collections and services are effectively managed with appropriate oversight of the council whilst allowing the new Trust the freedoms associated with independence.



- 3.31 The terms on which the Trust will manage, maintain and operate the Royal Pavilion and Museums are currently being negotiated and the indicative Heads of Terms are set out in the appendices. Appendix 1 sets out the key terms which the council is not prepared to negotiate. It is likely that there will also need to be a business transfer agreement and an ICT agreement to set out the terms on which the council will provide ICT services to the trust for a period following the commencement date.

### ICT

- 3.32 The transfer of ICT for the Trust will be implemented in two phases. Initially the Trust will purchase IT services via BHCC Schools and Traded Services, which will enable the RPM to function 'as is' from the transfer date. This will provide added levels of business assurance to ICT support arrangements whilst providing greater flexibility in the delivery of email and internet services. The second phase will be to move onto the ICT infrastructure of BDFL, and solutions for this are being developed. It is envisaged this could take six to twelve months. Implications for the Council will require approval of the council's Change Advisory Board (CAB), to ensure that they meet the ICT standards and operating principles, including legal and regulatory requirements.

### Staff

- 3.33 The knowledge and professional expertise of RPM's staff is vital to the running of the service, and staff numbers and experience are assessed as part of the accreditation process.
- 3.32 Under employment legislation (TUPE), existing staff will transfer to the Trust on their existing terms and conditions of employment and their continuity of service will be preserved. Staff transferring will retain access to the Local Government Pension Scheme.
- 3.34 Both staff and trade unions will be fully informed and engaged regarding the proposal to transfer the service, in line with best practice and legal requirements for a TUPE transfer. Information sharing will be undertaken with affected staff and trade unions, once final approval is given by Policy, Resources & Growth Committee. Both the Shadow Board and the Brighton Dome & Festival Board and executive have agreed to recognise the existing trade unions as part of the new Trust arrangements.
- 3.35 In order to help the trust establish itself and minimise the contractual cost to the council, rather than require a bond from the Trust, the City Council will act as guarantor for the new Trust to enable them to gain admitted body status within the Local Government Pension scheme. Approval to act as guarantor has been granted by the pension scheme administrator (East Sussex County Council). Note that the City Council retains any existing pension deficit in relation to transferred staff (as at the point of transfer) within its scheme in accordance with LGPS regulations.

## Financial Model

- 3.36 Council officers have been working with the Shadow Board and officers from Brighton Dome and Brighton Festival to undertake due diligence on the financial model. The proposal is to provide a 25 year funding agreement with a fee agreed each year (after the initial period referred to at 7.3 below) following the City Council's approval of the Trust's business plan.
- 3.37 The Integrated Service & Financial Plan reported to Policy, Resources & Growth Committee in December 2017 included savings totalling £0.392m from 2017/18 to 2019/20 for the Royal Pavilion & Museums budget. As previously approved by Policy Resources & Growth Committee, these savings will be deferred until the 2021/22 financial year to enable viable operation of the Trust.
- 3.38 In accordance with the report to Policy, Resources & Growth Committee, the funding for planned maintenance is being set at a level that will contribute towards the ongoing maintenance requirements of the Royal Pavilion & Museums. Although the planned maintenance annual allocation has usually been in the region of £0.400m, the council has spent an average of £0.594m and this figure, with inflation added each year, has therefore been used in projections to provide accurate comparisons. A building condition survey undertaken in 2015 identified an external planned maintenance essential prioritised need of around £1m spend per annum. This base figure has increased since, however, a benefit of the Trust is that it is assumed that it will have the ability to fundraise for specific capital projects to support the core maintenance budget contribution
- 3.39 Officers from the City Council and BDFL, alongside the Shadow Board, are working together to develop a zero-based budgeting approach to the service budget, and conduct due diligence. This work will continue, with the expectation that a balanced budget will be developed and presented to the City Council prior to the start of the service contract.
- 3.40 As is common for non-local authority bodies, it is anticipated that there will be a significant increase in the employer's pension contribution rate for those staff that will transfer to the Trust and remain in the Local Government Pension Scheme. This is often difficult to comprehend given that the accrued and projected pension benefits and liabilities for this group of staff will not change on transfer and would be the same for both employers. There are many factors that result in a higher employer contribution rate for admitted bodies, the most significant being:
- i) Local Authorities are protected by 'stability mechanisms' in relation to employer contribution rates. This avoids large swings/increases in rates that could destabilise essential public services. These protections are not available to other admitted bodies who must pay the full contribution rate determined by the fund's actuary.
  - ii) The group of staff transferring have different characteristics to the overall council pension pool. Generally, the average age is higher and length of service longer for the transferring group, resulting in a higher employer contribution rate.

- iii) The admitted body scheme will effectively be a ‘closed scheme’ available only to staff who transfer with Local Government Pension Scheme rights. Such schemes generally have higher contributions rates than open schemes (i.e. Local Authority schemes).

- 3.41 Over a long period of time, the council and the Trust (admitted body) would therefore contribute similar sums to the pension fund in respect of these staff, however, in the shorter term and for the reasons stated above, the higher employer contribution rate will cause cash flow pressure for the Trust during the early years of business start-up. Similarly, there will be other set-up costs and business start-up costs impacting on cash flows during the early years of operations.
- 3.42 The business plan for the new service will therefore need to recognise the impact of set-up costs and other business startup factors, including pension costs, particularly during the early years of operation. Council officers are currently working with representatives of BDFL to review the risks, actuarial assessment and funding arrangements. The outcome of negotiations and due diligence, including appropriate provision of Modernisation Funding to ensure the success of the arrangements during the early years of operation (business start-up), will be subject to approval of the final business case by the Corporate Modernisation Delivery Board.

#### Next Steps and Timetable

- 3.43 Further to discussion and agreement by the Tourism, Development and Culture Committee on 11 January 2018, the current timetable seeks to establish the new Trust by 1<sup>st</sup> July 2018 to ensure that there is sufficient time to undertake full and proper information sharing and engagement with staff and trade unions on the transfer in accordance with council procedures.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 An options appraisal considering the governance model for the new Trust has been undertaken by officers, with the involvement of the Shadow Board of the proposed Trust and senior officers of the Brighton Dome & Festival and resulted in the recommended route.
- 4.2 Previous reports to Policy, Resources & Growth Committee have described the options which were considered in relation to the decision to transfer the RPM into a charitable entity. These options have included:
- Remaining with the council. Keeping the service with the council could put museums at risk of having to reduce what they offer or closing through lack of funds.
  - A management contract with a third party commercial organisation. This was thought the least financially sustainable of the options considered because, unlike Trust status, there would be no tax benefits and the council would have to pay a management fee to the contractor.
  - Creating a ‘mutual’, Community Interest Company, or other form of social enterprise. This option has high risks because it is not a tested model for

museums like Brighton & Hove's which have internationally recognised collections and operate on long timeframes. As a mutual, an organisation may only be awarded a contract for three years and does not attract taxable benefits.

## **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 Discussions have taken place throughout 2017 with the Shadow Board which has been established to set up the new Trust, and with the Brighton Dome & Festival Board, as well as key stakeholders including Arts Council England and Heritage Lottery Fund, staff and trade unions.
- 5.2 BDFL has agreed in principle (at its Board meeting on 12th December 2017) to the transfer subject to negotiation of the terms, and to changing its charitable objects and Board membership, in order to become fit for purpose. This includes extending its Board to include the current members of the Shadow Board set up for the new Trust, and recruiting further museums and heritage experience. It has also agreed to change its name, to reflect its new purpose of delivering the RPM services alongside management of Brighton Dome and Brighton Festival. The BDFL management has agreed to recognise the GMB and Unison trade unions.
- 5.3 Meetings have been held with relevant trade unions. Staff and trade unions will continue to be engaged using the Council's agreed processes in relation to TUPE transfer. It is acknowledged that further information sharing and engagement with staff is required and this will be a key focus for the period prior to transfer, as recommended by Tourism Development & Culture Committee on 11<sup>th</sup> January 2018. A timetable for staff engagement is attached at Appendix 4 to this report.
- 5.4 Arts Council England (the national funding body for arts and museums) has been consulted fully. Arts Council England is a funder of both the RPM and the Brighton Dome & Festival, and has encouraged the creation of a charitable model for the RPM. It has indicated support for the single step approach.
- 5.5 Officers are engaged in contracting other stakeholders, including those who have funded, donated or bequeathed items in the collection.

## **6. CONCLUSION**

- 6.1 Arts and culture contribute to the health and well-being of the city, help to build diverse communities and improve our quality of life. Great art and culture can inspire learning, boost our local economy and enhance our national and international reputation – bringing vibrancy to our city and contributing to economic growth.
- 6.2 Commitment to and investment in the long term future of the Royal Pavilion & Museums will help to safeguard the critical role that arts and culture plays in the future success of the city. Recent research undertaken by Arts Council England<sup>1</sup> has identified that for every £1.00 of GVA generated by the arts and culture industry, an additional £1.30 of GVA is generated in the wider economy

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<sup>1</sup> <http://www.artscouncil.org.uk/economic-contribution>

through wider indirect and induced multiplier impacts of the industry. This research has also identified that for every job supported by the arts and culture industry, an estimated additional 1.77 jobs are supported in the wider economy<sup>i</sup>.

- 6.3 Establishing a single new cultural Trust for the city will safeguard the Council's heritage assets, buildings and museum collections and provides opportunities for further development of services across both the Royal Pavilion Estate and the whole museum portfolio for the benefit of residents and visitors.

## **7. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 7.1 The financial modelling undertaken by external consultants that informed the recommendations to the January 2017 report have been updated to establish a financial business case for the Trust and a required service fee for the provision of services. The most significant changes to the financial modelling compared to that previously reported include an increase in the required employer pension contribution rate on transfer, changes to pay and inflation assumptions, and updated income projections. Council officers will continue to work with the Shadow Board and officers from BDFL to undertake due diligence of the financial model to develop a balance budget for the Trust within the budget resources available, including identified Modernisation Funding support. Modernisation Funds are approved by Budget Council as part of the General Fund Revenue Budget and are provided to facilitate modernisation of council services and delivery of savings proposals contained within the 4-Year Integrated Service & Financial Plans.
- 7.2 Further work has also been carried out on the VAT implications of moving to Trust status, which has identified that the most tax efficient scenario for the Trust is for the council funding being provided as a contractual arrangement (rather than grant funding).
- 7.3 The annual service fee will be met from a combination of the Royal Pavilion and Museums direct service budget, existing Property & Design maintenance budgets relating to the service, and cost reductions from central support service budgets. All three budget areas have been projected in line with savings and other budget assumptions within the latest budget proposals. The table below gives the annual service fee value based on the latest financial model and identifies the required sources of funding. The funding of the service contract requires temporary contributions from reserves in years one and two of the transfer before operational surpluses are generated over the following three years. This incorporates the planned reduction in the annual service fee and cost reductions on central support services. It is anticipated that there will be a significant reduction in the annual service fee from 2021/22 as the Trust become more financially independent.

	2018/19 (£'000)	2019/20 (£'000)	2020/21 (£'000)	2021/22 (£'000)	2022/23 (£'000)
<b>Annual Budget Requirement:</b>					
Provision of Service	1,181	1,119	1,065	734	691
Maintenance Contribution	686	699	713	727	742
<b>Total Budget Requirement:</b>	<b>1,867</b>	<b>1,818</b>	<b>1,778</b>	<b>1,461</b>	<b>1,433</b>
<b>Funded by BHCC Budgets:</b>					
Direct RPM Service Budget	1,164	1,188	1,212	844	861
P&D Maintenance Budgets	463	472	481	491	502
Cost Reductions in Support Service Budgets	50	50	200	200	200
Contributions from / (to) Reserves:	190	108	-115	-74	-109
<b>Total BHCC Funding</b>	<b>1,867</b>	<b>1,818</b>	<b>1,778</b>	<b>1,461</b>	<b>1,454</b>
<b>Remaining Budget Deficit / (Surplus)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>-21</b>

7.4 Note that the table above reflects a full financial year service fee and budget requirement from 1<sup>st</sup> April 2018. The actual profile of service fee payable will be subject to negotiation with consideration of the proposed transfer date of 1<sup>st</sup> July 2018.

7.5 As mentioned in the main body of the report, the £0.392m savings identified for the Royal Pavilion and Museums service in the 4 Year Integrated Service & Financial Plans will be deferred until the 2021/22 financial year, at which point the required service fee is expected to reduce. It is anticipated that there will be further reduction in the service fee after 2022/23 and potential for further budget savings as the Trust becomes more financially independent.

7.6 It should be noted that, in accordance with the contract, Brighton & Hove City Council will act as funder of last resort should the Trust become insolvent to ensure continuity of the service and meet pension fund obligations. However, the contractual terms of the arrangement, the articles of association of the Trust and the Trust Board's governance structure will ensure that financial management risks are minimised.

*Finance Officer Consulted: Steven Bedford*

*Date: 12/01/18*

Legal Implications:

7.7 Leading Counsel has advised in relation to the procurement and state aid risks of transferring the Royal Pavilion and Museums to the Trust (in a one stage approach) under a contract for services. The council is required to undertake a procurement in compliance with the European procurement regime and the Public Contracts Regulations 2015 if it is awarding a 'public services contract'. However, this is subject to a limited number of exemptions which are contained in the regulations. Leading Counsel has advised that awarding the contract to

the Trust would meet one of tests in Regulation 32 namely that the service can only be supplied by a particular economic operator for the following reason: “the protection of exclusive rights, including intellectual property rights”. This is known as the ‘exclusive rights derogation’. This condition is satisfied because BDFL is the only party that can deliver all the cultural services in BHCC’s area having regard to BDFL’s long term land interest in the Dome. Leading Counsel’s view is that while there is a potential procurement risk, it is low for the reasons given above.

- 7.8 Leading Counsel has also advised that the proposals did not amount to state aid.
- 7.9 Indicative Heads of Terms are appended to this report and other legal agreements (such as a business transfer agreement and an ICT Agreement) are likely to be required to give effect to the proposals set out in this report. Officers in Legal Services will continue to work closely with other officers to ensure that the terms of all agreements are robust and appropriate to protect the council’s assets.
- 7.10 The council is under an obligation when leasing its buildings to achieve the best consideration reasonably obtainable (s123 Local Government Act 1972). It is expected that the council will have to obtain the Secretary of State’s consent to lease the buildings referred to in the property strategy (Appendix 3) at a peppercorn rent so this will need to be in place prior to the 1 July 2018.

*Lawyer Consulted: Alice Rowland*

*Date: 12 /01 /18*

Equalities Implications:

- 7.11 A full equalities impact assessment is not required but equalities issues have been considered during the project, including in trustee appointments, shadow board meetings and communications. The Trust will be required under the service contract to have appropriate equality policies.

Sustainability Implications:

- 7.12 None directly related to this report. The Trust will be expected to conduct its business in line with environmentally sustainable business practice and will be required to develop an Environmental Impact Assessment and Action Plan. The Trust model should ensure that the buildings are better maintained over time, which will contribute to improved sustainability and reduced energy consumption.

Any Other Significant Implications:

None

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Summary of Heads of Terms
  - a. Indicative (draft) Heads of Terms for the Contract
  - b. Indicative (draft) Heads of Terms for the Collection
2. Suite of Collections-related Policies
3. Property Strategy
4. Staff Engagement

### **Documents in Members' Rooms**

None

### **Background Documents**

1. Report to Policy, Resources and Growth Committee (Royal Pavilion & Museums), 19 January 2017.
2. Report to Tourism, Development and Culture committee (Royal Pavilion and Museums Trust Arrangements), 11 January 2018.



## **APPENDIX ONE**

### **Summary of Heads of Terms**

The indicative Heads of Terms are attached at Appendix 1a and 1b and are subject to ongoing negotiation with BDFL.

Resources & Growth committee is asked to approve the following terms in accordance with the recommendations in the report.

### **Services Contract**

The Services Contract will be based on the Council's standard services contract. The following terms will not be subject to negotiation:

- The term will be 25 years
- The fee will be set for the first 3 years
- After 3 years, the fee will be determined annually
- The trust will be required to submit its business plan, including updated financial projections, for approval annually by Council officers
- All the agreements are interdependent so if, for example, a lease is terminated all the other agreements will also be terminated
- The parties will both be able to terminate the contract every 5 years provided they have given the other party one year's notice.
- The council will set the annual fee for the following financial year following Full Council in February. The council will also give an indication of the likely fee for the subsequent two years
- The council will be entitled to terminate the contract in the event that the Trust is in financial distress, is at risk of losing its accredited status or is in material breach of any term of the contract

### **Collection Agreement**

The following terms will not be subject to negotiation:

- The Trust will have to look after the collection with all reasonable skill and care and in a proper diligent, expeditious and professional manner
- The Trust will have to maintain its accredited status with the Arts Council England
- The Trust will have to comply with the policies listed in the report

## Appendix 1a

### DRAFT HEADS OF TERMS (HOT) FOR THE RPMT SERVICES CONTRACT (“The Agreement”)

#### TERMS

##### 1. SERVICES

- 1.1 The Trust will manage and operate the Royal Pavilion and Museums in accordance with the Agreement in consideration of the payment of the fee, the licence to use the Collection and the leases and /or licences of the premises (which will be listed in a schedule to the Agreement<sup>2</sup>).
- 1.2 The Trust will perform the Services (which will be set out in a schedule to the Agreement) in accordance with the Business Plan.

##### 2. TERM

- 2.1 The Agreement will be for a term of 25 years.

##### 3. NO FAULT TERMINATION

- 3.1 The parties will be entitled to terminate the Agreement 5 years after the commencement of the Agreement (the Commencement Date). The Parties will further be entitled to terminate this agreement 10, 15, and 20 years after the Commencement Date provided in each case that the party terminating the Agreement gives one year’s notice to the other party.

##### 4. FEE

- 4.1 The council will pay the fee for the performance of the Services in accordance with a schedule to the Agreement (which shall be updated annually after the first three years).
- 4.2 The fee shall be inclusive of all costs, disbursements, expenses and overheads incurred in the performance of the Services.
- 4.3 The council shall be entitled to inspect the Trust’s accounts on reasonable notice.
- 4.4 The Schedule shall identify a final payment which shall not be paid until the Trust has provided all the information required by the council to enable a smooth transition of services to the onward supplier.

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<sup>2</sup> Booth Museum, Preston Manor, Brighton Museum & Art Gallery, Hove Museum & Art Gallery, Royal Pavilion and Royal Pavilion Garden, William IV Gatehouse and India Gate, Northgate House, Old Court House, Jaipur Gate, 4/5 Pavilion Buildings, off-site store unit B5 and Pavilion Gardens Café. These disposals will be subject to separate Heads of Terms.

## **5. REVIEW OF FEE**

- 5.1 The Council will not review the fee in the first three years after the Commencement Date.
- 5.2 Following the initial period of three years, each year the Council will set the fee for the following financial year (the Annual Fee). The Council will also give an indication of the likely fee for the two years following the year to which the Annual Fee relates (the Indicative Fee). The council will inform the Trust of the Annual Fee and the Indicative Fee following Full Council each February.
- 5.3 The Trust will obtain the council's approval of its Business Plan and updated financial projections (in accordance with clause 7 below) annually by the 31 December, in order to assist the council to determine the Annual Fee and the Indicative Fee.

## **6. BUSINESS PLAN**

- 6.1 The Trust shall prepare a Business Plan which must be updated and approved annually by Council officers.
- 6.2 The Business Plan shall set out detailed proposals and forecasts for the following year including the Trust's proposals for the level of the admission charges. The Business Plan shall set out the ambitions and aims for the Trust for the following three years. The Business Plan shall be substantially in the form set out in a schedule to the Agreement.
- 6.3 The Trust shall produce a draft Business Plan by 1 September and submit it to the council for approval. The council in its complete discretion may approve the draft Business Plan or seek amendments to it.
- 6.4 The parties shall meet regularly to discuss the draft Business Plan. To assist the Trust in preparing its Business Plan the council will tell the Trust whether the recommendation which officers of the council will make to Full Council in relation to the Fee will be in line with the Indicative Fee provided in the preceding February.
- 6.5 If the parties are unable to agree a Business Plan by 31 December, the council shall be entitled to terminate the Agreement.
- 6.6 The parties may by agreement in writing extend the 31 December deadline to agree the Business Plan.

## **7. THE TRUST'S OBLIGATIONS**

- 7.1 The Trust shall exercise all the skill, care and diligence in the discharge of the Services to be expected of an appropriately qualified competent provider of museum services experienced in carrying out services of the relevant, scope and complexity as described in the Agreement.
- 7.2 The Trust shall keep and retain records (for a period to be directed by the council) relating to the Services including a record of the admission charges

collected and shall allow the council to inspect those records on reasonable notice.

- 7.3 The Trust shall work closely with the council in the performance of the Services and ensure the reputation of the council is not damaged by the way in which it provides the Services.
- 7.4 The Trust shall ensure that the personnel engaged in providing the Services are appropriately experienced and qualified and shall allocate sufficient resources as are necessary for the proper performance of the Services.
- 7.5 The Trust shall have and maintain policies on as a minimum equal opportunities, insurance, the protection of children, young people and vulnerable adults.
- 7.6 The Trust shall comply with all applicable laws including but not limited to the Public Contracts Regulations 2015 and the Equality Act 2010.

## **8. TERMINATION FOR CAUSE**

- 8.1 The council shall be entitled to terminate the Agreement if –
- (a) there is a breach of the Trust's obligations which the Trust fails to rectify within 20 working days following the receipt of notice from the council;
  - (b) the Trust is in material breach of its obligations;
  - (c) the Trust has become insolvent (which shall be defined in the Agreement) or it appears to the council that there is a risk that the Trust will become insolvent or is in financial distress;
  - (d) the Trust loses or there is a risk that it will lose its accredited status with the Arts Council England;
  - (e) there is a risk to the designated status of any part of the Collection;
  - (f) the Trust loses or there is a risk that it will lose its charitable status; or
  - (g) The parties are unable to agree the Business Plan by the 31 December or it appears to the council in its complete discretion that the parties will not be able to agreement the Business Plan within a reasonable timeframe.
- 8.2 The Agreement shall also terminate if any of the other related agreements including the leases are terminated.

## **9. SUB-CONTRACTING AND ASSIGNMENT**

- 9.1 The Trust shall not sub contract the performance of the Services without the prior written consent of the council.
- 9.2 The Trust shall not assign the Agreement.

## **10. GOVERNANCE AND REPORTING**

- 10.1 The parties shall both appoint representatives who shall attend review meetings on a quarterly basis. The Trust shall provide the council with a

financial and operational report in the form set out in a schedule at least 5 working days prior to the quarterly review meetings.

- 10.2 The Trust shall promptly and within 5 working days report
- (a) any material financial underperformance against forecast income or funding;
  - (b) any material increase in expenditure; or
  - (c) any matter which may have a material impact on the ability of the Trust to deliver the Services, maintain its designation status for collections, its accreditation or charitable status.
- 10.3 The Parties shall convene an annual stakeholder review meeting and shall invite as a minimum Arts Council England and the Heritage Lottery Fund.

## **11. PUBLICITY**

- 11.1 Any public statement regarding the Agreement will only be made with the prior written agreement of the council.

## **12. OTHER STANDARD TERMS**

- 12.1 The Agreement will be contain the council's standard terms including but not limited to Freedom of Information, Data Protection, Dispute Resolution, TUPE and Pensions and Exit.

## **DRAFT HEADS OF TERMS (HOT) FOR THE BRIGHTON & HOVE MUSEUMS COLLECTION SCHEDULE (“the Schedule”)<sup>3</sup>**

### **TERMS**

#### **1. COLLECTION**

- 1.1 The Collection will include the collections and collections-related information, archives and documents both surrogate and supporting, and including those Born Digital; as detailed in the Accession Registers and on the electronic Collections Management Database.
- 1.2 The Collection will include items which are held by the council under various trusts including the following;
  - a) Booth Museum Trust Collection
  - b) Stanford Museum Trust Collection
  - c) National Toy Museum & Institute of Play Collection
- 1.3 The Collection also includes items held on long term loan under loan agreements with various trusts, organisations and private individuals: A full list shall be appended to the Schedule but notably including the following:
  - a) James Henry Green Charitable Trust
  - b) Royal Pavilion & Museums Foundation (South East Arts Craft Collection)<sup>4</sup>
  - c) Royal Collection Trust

#### **2. GRANT OF LICENCE / RIGHT TO USE THE COLLECTION**

- 2.1 The council will grant to the Trust a licence to use the Collection.
- 2.2 The Trust’s rights to use the Collection will be set out in an appendix and will include inter alia the right to display and exhibit items, the right to conserve items, and the right to acquire, dispose of and/or lend items subject to the terms of the Services Contract (the Agreement).
- 2.3 In respect of items;-
  - a) purchased in accordance with terms set down by a donor;
  - b) bequeathed;

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<sup>3</sup> These HOT are intended to indicate the Council’s current view as to the key provisions of the Agreement. They are not intended to be exhaustive. These terms relating to the collection will be a schedule to the Service Contract.

<sup>4</sup> The intention is that this collection is transferred to the Council and then loaned as part of the Collection to the Trust. The Council is working with the Foundation to seek Charity Commission approval and liaise with Arts Council England.

- c) loaned; or
  - d) donated on terms to the council,
- the Trust shall comply with those terms as if it were directly bound.

2.4 The Trust cannot commit to new purchases, bequests, loans or donations on terms or on conditions beyond the bounds of the Service Contract with the council, without first seeking the authority of the council.

### **3. OBLIGATIONS OF THE TRUST**

3.1 The Trust will perform the obligations with all reasonable skill and care; in a proper diligent, expeditious and professional manner and in accordance with the current and succeeding laws, standards, guidelines and codes of ethics which shall be set out in an appendix and shall include the following policies and standards for the museum sector:

- a) Accreditation Standard (Arts Council England, revised 2014)
- b) Code of Ethics for Museums (Museums Association, revised 2015)
- c) SPECTRUM 5.0 (Collections Trust, revised 2017) (The Trust will maintain a minimum of eight primary procedures of the full 21 procedures)
- d) Benchmarks in Collections Care for Museums, Archives and Libraries 2.0. (London: Collections Trust, 2011) (Trust will fulfil 100% of 'Basic' requirements)

3.2 The obligations on the Trust will cover inter alia the development, care, management, audit, storage, research, interpretation and use of the Collection.

3.3 The Trust shall comply with the following policies and procedures:

- a) RPM Collections Development Policy
- b) RPM Collection Care & Conservation Policy
- c) RPM Documentation & Information Policy
- d) RPM Loans Policy (to be developed for approval)
- e) RPM Documentation Procedure Manual
- f) RPM Rights Policy (to be developed for approval)
- g) RPM Digital Preservation Policy (to be developed for approval)
- h) RPM Human Remains Policy
- i) RPM Access Statement

3.4 The Trust will need to seek council approval for any amendments to the policies and procedures during the period of the Agreement.

3.5 The Trust shall provide the council with such information and access to documents and personnel which it shall reasonably require in order to monitor performance of the Trust's obligations and comply with the requirements of the council's auditors.

- 3.6 The Trust shall ensure that all Trust personnel responsible for performing the Trust's obligations possess the appropriate experience, skills and qualifications.

#### **4. COLLECTIONS CARE & CONDITION**

- 4.1 The Trust shall report to the council annually if any item in the Collection is lost, seriously damaged or if there is a serious deterioration in its condition. On identification of a loss or serious damage, the Trust will notify the council's Insurance Section for purposes of insurance cover and amendment of the asset register, and take the council's advice concerning any related communications in the public domain
- 4.2 The Trust will determine its plan for carrying out conservation work to the Collection in accordance with its policies and shall report major conservation activity to the council annually.
- 4.3 If the owner of an item in the Collection is not the council, the Trust shall seek the owner's consent prior to undertaking conservation work on that item.
- 4.4 The Trust shall maintain appropriate environments for storing and caring for the Collection items in accordance with Accreditation Standard and in line with RPM Collections Care & Conservation Policy.

#### **5. COLLECTION INFORMATION**

- 5.1 The Trust will research enhance and maintain accurate records about the Collection and Collection-related activities (including information about works which are loaned to the Collection by third parties) in line with the Accreditation Standard and the prevailing RPM Documentation & Information Policy.

#### **6. LOANS**

- 6.1 The Trust shall not lend to a third party any items forming part of the Collection otherwise than in accordance with the RPM Loans Policy.
- 6.2 The Trust may not loan items where to do so would be in breach of the terms of the bequest / loan of that item to the council.
- 6.3 The Trust shall report annually in arrears on items which have been loaned to or by a third party. If the Government Indemnity Scheme (GIS) does not apply, the Trust prior to securing a loan either to or by the Trust will consult the council's Insurance Section to ensure that the item can be adequately insured at no extra cost to the council. The Trust shall not proceed with the loan if the item cannot be adequately insured at no extra cost to the council unless it obtains the council's consent
- 6.4 The Trust shall comply with a Communications Protocol which will set out the requirements on the Trust to notify the council in the event that:-
- a) it loans certain items from the Collection;



- b) an item in the Collection is lost or damaged; or
  - c) any other event occurs which will have an impact on the reputation of the council.
- 6.5 The Trust shall inform the council, with a minimum of 3 months' advance notice of any proposed loan of an item in the Collection worth over £2million in value, where the intended location is outside the UK, and/or where the loan will be for longer than 1 year.
- 6.6 Existing third party loans to the Collection will be listed in an appendix.
- 6.7 Any item loaned to the Collection after the commencement of the Agreement shall be entered into by the Trust and the third party and the terms of that loan shall reflect the terms of the Agreement including but not limited to the exit provisions of the Agreement to ensure that the council becomes the beneficiary of that loan in the event that the Agreement is terminated.

## **7. ACQUISITION**

- 7.1 The Trust will develop the Collection in accordance with the RPM Collections Development Policy (RPM CDP).
- 7.2 The Trust shall be entitled to accept a bequest or donation, and /or procure the purchase of items for the Collection in accordance with the RPM CDP.
- 7.3 Any items acquired will belong to the council and will form part of the Collection and be governed by the Agreement.
- 7.4 In the event of the Trust having identified an item which it requires the council to purchase, it shall submit a report to the council confirming that the purchase accords with the prevailing RPM CDP and will benefit the Collection. The council will then take steps to purchase the item. The Trust will transfer the sums necessary for the purchase (if they are not already held by the council as a result of previous disposals) and any associated costs incurred by the council prior to the purchase proceeding.
- 7.5 The Trust shall report annually in arrears on items which have been purchased or donated. Prior to securing any acquisition, the Trust will notify the council's Insurance Section to ensure that the acquisition can be adequately insured at no extra cost to the council. The Trust shall not proceed with the acquisition if the item cannot be adequately insured at no extra cost to the council unless it obtains the council's consent
- 7.6 The council can acquire items or material for the Collection in consultation with the Trust and in accordance with the prevailing RPM CDP.
- 7.7 The Trust cannot acquire any items or materials other than for the Collection.

## **8. DISPOSAL OF ITEMS FROM THE COLLECTION**

- 8.1 The Trust may dispose of Collection items in accordance with the prevailing RPM CDP and the prevailing Museums Association Code of Ethics for Museums.
- 8.2 Funds received from disposals will be paid to the council who will keep those funds in a ring-fenced account.
- 8.3 The Trust may only use funds raised by disposals in accordance with the Code of Ethics and exclusively for the support or development of the existing Collection.
- 8.4 The council may in its complete discretion dispose of any item in the Collection following consideration of the RPM CDP and having consulted with the Trust.
- 8.5 The Trust may not charge or use the Collection or any part of it as security against any loan or other borrowing.
- 8.6 The Trust shall report disposals annually to the council. On agreeing a disposal, the Trust will notify the council's Insurance Section for purposes of insurance cover and removing it from the asset register.

## **9. INSURANCE**

- 9.1 The council will insure the Collection and the Trust shall comply with all the conditions of the insurance policy. The Trust shall maintain insurance for any risks which are not covered by the council's insurance policy.
- 9.2 For the avoidance of doubt, the council will receive any payments made pursuant to the council's insurance policy. The council may in its complete discretion require the Trust to indemnify it in relation to any excess due where the claim is a consequence of a breach of the Agreement.

## **10. MONITORING AND REVIEW**

- 10.1 The council's designated officer shall be entitled to have access to the Collection at any time provided they provide reasonable notice to the Trust and comply with any reasonable instructions given by the Trust for the protection of the Collection.
- 10.2 The Trust shall keep full and accurate records in relation to its obligations set out above.

## **11. REPORTING**

- 11.1 The Trust shall provide reports to the council at such intervals and in such form as the council shall reasonably require.

## 12. IPR

- 12.1 All intellectual property rights in the Collection which currently belong to the council (the Collection IPR) will remain the property of the council.
- 12.2 The council grants a royalty-free, worldwide, non-exclusive licence to use copy, reproduce and exploit the Collection IPR for:-
  - a) purposes which are connected to the Trust's charitable objects;
  - b) for the purpose of promoting the Royal Pavilion and museums, the Trust, Brighton & Hove; or
  - c) for the purposes of generating income for the duration of the Agreement.
- 12.3 The council shall consider applications from the Trust to release all or part of its Collection IPR under a Creative Commons licence and shall consider whether to allow the Trust to become the attributed source of the data.
- 12.4 Applications to protect the Collection IPR shall be made in the name of the council.
- 12.5 The Trust will not take any steps which might jeopardise or invalidate the council's IPR or ability to protect such rights in the future.
- 12.6 The Trust will provide the council with such information and records in relation to its use of the Collection IPR as the council reasonably requires
- 12.7 The parties shall notify each other if they become aware of any infringement or possible infringement by a third party or if any third party alleges that the Collection IPR infringes on a right that they have.
- 12.8 The council may allow the Trust to take action on its behalf in respect of an infringement or alleged infringement. The Trust shall indemnify the council in respect of all costs and keep the council apprised if it takes action in relation to an infringement. The Trust shall obtain the council's consent prior to agreeing any settlement with a third party in respect of any infringement of the Collection IPR.
- 12.9 Alternatively the council may in its complete discretion take action on its own behalf in respect of the infringement.
- 12.10 All IPR created after the commencement of the Agreement by the Trust or the trading subsidiary shall be the property of the Trust. The Trust or its trading subsidiary shall grant a royalty-free non-exclusive licence in perpetuity to the council in respect of that IPR.

## APPENDIX TWO

### Collections-related Policies

- (a) RPM Collections Development Policy
- (b) RPM Collection Care & Conservation Policy
- (c) RPM Documentation & Information Policy
- (d) *RPM Loans Policy (to follow for approval at TDC Committee in March 2018)*
- (e) RPM Documentation Procedure Manual
- (f) *RPM Rights Policy (to follow for approval at TDC Committee in March 2018)*
- (g) *RPM Digital Preservation Policy (to follow for approval at TDC Committee in March 2018)*
- (h) RPM Human Remains Policy
- (i) RPM Access Statement

**All policies above, once approval by BHCC, will need to be adopted formally by the Trust prior to delivery of the service contract.**

### **3a Royal Pavilion & Museums Collections Development Policy**

**Date at which this policy is due for review: January 2021**

## **1 Statement of Purpose**

RPM's vision is to provide museums that play a vital role in making Brighton & Hove a fantastic place to live work and visit, and inspire people to build a more sustainable and socially just world. Our mission is to preserve the past to inform the present. Using the outstanding collections, buildings and knowledge in our care, we will challenge and inspire our visitors to positively shape their future. Our sustainable museums will support the economy of Brighton & Hove, promote personal well-being, and celebrate diversity.

As an organisation we aspire to transform into a resilient organisation with a reputation for vibrancy and relevance, renowned for its digital innovation and inspiring a sense of shared ownership, and where our work is driven by creative collaborations with local communities and partner organisations.

RPM collects, rationalises and disposes of collections within the remit and guidelines set out in this Collections Development policy document, in line with our current Business Plan. The aims for our 2018-22 Business Plan are:

- Be more strategic in caring for and developing our natural, scientific and cultural resources for present and future generations.
- Develop a distinctive offer at each of our five sites and online to support learning, creativity and well-being
- Actively engage more people in understanding, developing and / or interpreting our shared collections, including a focus on children and young people
- Build a co-operative, sustainable and resilient organisation that supports the wider cultural sector
- Ensure the organisation and its work reflects the diverse culture of contemporary society

All five aims are supported by the RPM Collections Development Policy, especially in the areas of the following key activities:

- Public programming
- Learning and community engagement
- Digital engagement
- New galleries
- City-wide initiatives
- Accreditation standards
- Building collections knowledge
- Developing the collections to maintain the contemporary record
- Sustainable use of all resources – sites, collections and assets
- Maximising income generation and fundraising
- Improving RPM's profile and brand
- Digital potential for building sustainable and resilient organisation
- Developing and sustaining partnerships
- Developing processes to support the organisation deliver efficiently and effectively
- Shared ownership

- Supporting museum development through sharing our expertise
- Developing and championing diversity

This RPM Collections Development Policy sets out the principles that will provide the Trust and the workforce of RPM with a framework for responsible and ethical acquisition and disposal of collections.

Implementing this policy will enable RPM to demonstrate the public benefit in their approach to collections development. It provides a basis for open and transparent decision-making and an informed dialogue between governing bodies, donors, funding bodies and other stakeholders.

RPM is committed to collect in a responsible, sustainable and productive manner to ensure preservation, understanding and access to collections and buildings, so that they are enjoyed and understood by current and future generations.

This policy applies to material which is accessioned into the collection or intends to own and accession into the collection.

The acquisition, management and disposal of collections will be guided by:

- the Trust's purpose and objectives, and RPM's Business Plan (2018-22)
- the legal basis on which the collections are held
- the public benefit derived from the effective use and management of the collections
- an assessment of the needs of the museum's collections
- the collections held by other museums and organisations collecting in the same or related geographical areas or subject fields
- strength of collections currently in our care

Procedures designed to support the RPM Collections Development Policy, particularly for the areas of acquisition and disposal, are detailed in RPM Collections Management & Documentation Procedure Manual, and provide clear procedures and decision-making processes common to all Accredited museums.

## **2 An overview of current collections**

### **2.1 Royal Pavilion & Museums, Buildings and History**

The RPM museum service is one of the largest in the south east of England with collections of local, national and international significance, including three Designated collections. RPM enjoys a high profile, regionally, nationally and internationally, and has a reputation for innovative and high quality public engagement and collaborative partnership projects. It directly operates five sites, which are open to the public and provide access to the collections; these are

- The Royal Pavilion
- Brighton Museum & Art Gallery
- Preston Manor
- The Booth Museum of Natural History
- Hove Museum & Art Gallery

RPM is also runs an off-site collections store and has responsibility for a number of historically important listed buildings and monuments across the city. Further details

of these buildings and the historical background to the sites listed above, and the history, significance, strengths of the collections held are further illustrated in RPM Collections Management & Documentation Procedure Manual.

Brighton & Hove City Council holds a long-term management agreement with East Sussex County Council and University of Sussex, with reference to RPM collections stored and accessed at The Keep.

RPM is responsible for over one million artefacts, the collections comprising Fine and Decorative Arts, Local, Social and Oral History, Archaeology, Costume, Toys, Coins, Weapons, Photographs, Film, Musical Instruments, the Natural Sciences, World Art, Egyptology, Rare Book collections and archives.

Three of the collections have Designated status (recognised to be of national and international significance); these are Decorative Art, World Art and Natural Sciences.

## **2.2 Collections Summary**

### **2.2.1 Decorative Art**

Designated collection comprising 17<sup>th</sup>-21<sup>st</sup> century British, European and American applied art and industrial design. This includes furniture and furnishing textiles, clocks and watches, metalwork and jewellery, glass and ceramics, also some Oriental and Islamic wares made for the European market and contemporary craft.

The contemporary craft collection includes the Arts Council (South East) Craft Collection, comprising work in all media, by makers living or working in the South-East region.

### **2.2.2 Natural Sciences**

Designated collection covering local, British and international zoological, botanical and geological material, manuscripts and records. This includes The Booth Collection of British Birds, insects (especially Lepidoptera), osteology, birds' eggs, herbaria, molluscs and fossils, and The Booth Book Collection.

### **2.2.3 World Art**

Designated collection of objects and textiles c12<sup>th</sup>–20<sup>th</sup> century, with the vast majority of the collection spanning the period 1850-1950 and relating to Africa, Asia, Oceania and the Americas. Includes some archaeological and European folk material.

### **2.2.4 Musical Instruments**

Instruments from the 18<sup>th</sup>-20<sup>th</sup> century. This collection comprises European instruments c1780- 1830, including a large collection of whistles, and ethnographic instruments c1850-2000 from Africa, Asia, Oceania and the Americas.

### **2.2.5 Fine Art**

European old masters in particular from the Italian, Netherlandish, German and French schools, 18<sup>th</sup>-20<sup>th</sup> century British watercolours, 17<sup>th</sup>-20<sup>th</sup> century European prints, 16<sup>th</sup>-21<sup>st</sup> century British oil paintings, and the Heyer Bequest of 20<sup>th</sup> century American Post Abstract Expressionist paintings. Also includes Regency drawings, watercolours and caricatures in relation to the Royal Pavilion and topographical material relating to the history of Brighton, Hove and the immediate locality, including renowned personalities and events.



### **2.2.6 Costume and Textiles**

British, West European and North American men's, women's and children's costume and accessories from the mid-18<sup>th</sup> century to the present day, costumes from Les Ballets (1933) and some European national costumes. Needlework, samplers and quilts from the mid-18<sup>th</sup> century to the present day.

### **2.2.7 Toys and Juvenilia**

18<sup>th</sup>- 21<sup>st</sup> century toys, games, dolls' houses and dolls including examples that represent particular cultural or ethnic groups. A small collection of nursery equipment and ephemera associated with childhood. A large proportion of this collection was acquired by the National Toy Museum & Institute of Play.

### **2.2.8 Film and Media**

Lantern slides, material and equipment relating to the film industry in England, 1896 to the present day. Material and equipment relating to the cinema in south east England, 1896 to the present day.

### **2.2.9 Edged Weapons and Firearms**

14<sup>th</sup>-20<sup>th</sup> century British and European material.

### **2.2.10 Local and Social History**

18<sup>th</sup>- 21<sup>st</sup> century artefacts, ephemera, photographs and negatives, British 18<sup>th</sup>-20<sup>th</sup> century domestic and agricultural tools and equipment, and fire engine. Includes the Sussex Collection of reference material, books, journals, newspapers, ephemera and documentary archives.

### **2.2.11 Archaeology**

The archaeology collection is extensive and includes excavated material and stray finds of all periods from the Palaeolithic to post-Medieval predominantly from Brighton & Hove, and Sussex. Strengths include regionally important ice-age collections, internationally important material from Whitehawk Neolithic causewayed enclosure, and internationally important Bronze Age material, including the Hove Amber Cup assemblage and hoards from the area immediately around Brighton & Hove.

### **2.2.12 Egyptology**

Egyptology from the pre-Dynastic era to the Roman period. There are approximately 1,700 individual objects represented, some of which relate to excavations by the famous Egyptologist, Flinders Petrie. The collection also includes a very important group of objects from Nubia/Sudan.

### **2.2.13 Numismatics**

Classical Greek and Roman, Celtic, Anglo-Saxon, Medieval material through to the present, including Iron Age and Roman coins, British coins of all periods, as well as those from former British Overseas Territories, and an important collection of trade tokens from Sussex, as well as others from the rest of Britain.

The medal collection includes commemorative medals from Sussex, the majority of which relate to Brighton & Hove, commemorative medals marking events of national importance and some British service medals.

### **2.2.14 Oral History**

Sound recordings made, commissioned or supported by RPM (oral histories and field recordings), or made privately by individuals or organisations acquired by donation, bequest, loan or purchase which relate to our current collections.

The current sound collection includes recordings relating to archaeology, natural sciences, local and social history, fine art, world art, costume, decorative art, toys, film and media, Preston Manor, the Royal Pavilion, Brighton Museum, the Booth Museum and Hove Museum. The collection also holds the BBC Radio Brighton archive and local community oral history projects. Formats include wax cylinder, open reel, cassette, mini disc, CD, digital file and video.

### **2.2.15 Books and Archives**

Archive material is found in all collections in the form of object histories, and collections-related ephemera, but notably RPM holds archives relating to Preston Manor and the Royal Pavilion.

Archives relating to the local area, local community, and books and newspapers which have been accessed through the Brighton History Centre, together form part of the Local and Social History collections.

Brighton & Hove City Council has an archive management agreement with East Sussex County Council (ESCC). ESCC's East Sussex Record Office collects, documents, stores, manages and makes accessible archives relating to Brighton & Hove under a depositor's agreement.

### **2.2.16 The Royal Pavilion**

This collection includes original artefacts from the Royal Pavilion, Regency decorative and fine art relevant to the refurbishment of the Royal Pavilion, and documents, pictures and other items relating to the history, development, occupants and workers of the Royal Pavilion estate (up to the present time).

### **2.2.17 Preston Manor**

This collection contains items formerly in the house or in the possession of the Stanford family (primarily before the house was acquired by BHCC in 1932), topographical material, photographs, oral histories and written testimonies relating to Preston Manor, the gardens and the occupants.

### **2.2.18 Education Collection**

This collection is formed from accessioned and non-accessioned material from across all collections strands and administered by the museum service as a collection of objects and replicas for use in learning sessions on and off site. Some objects are acquired for the Education Collection on the understanding that they will undergo a certain amount of wear and tear. Some of this collection material is used in the form of loan boxes. RPM uses material from this collection and its permanent collections to engage with local community groups. It includes objects used to deliver themed sessions including Victorians, Identity and Egypt. See Appendix 4 for a list of educational sessions delivered using this collection.

## **3 Themes and priorities for future collecting**

This section details the criteria governing future acquisitions at RPM including the subjects or themes, periods of time and/or geographical areas, and any collections which will not be subject to further acquisition.

### 3.1 Definitions of collecting

- **Active collecting:** RPM will actively seek out objects in these subject areas for acquisition. This may be by means of purchase if necessary.
- **Opportunistic collecting:** If an opportunity to acquire arises, the acquisition will be considered. This may be by means of purchase if necessary.
- **Passive collecting:** If appropriate material is offered as a donation or bequest, the acquisition will be considered.
- **Closed collections:** No further additions will be made to closed collections.

RPM curators undertake passive or opportunistic collecting in line with the key areas of collecting. At the current time none of our collections is considered closed. Where active collecting occurs, it is developed in line with the RPM Business Plan and the cross-collection themes indicated in Section 3.2 below.

Collecting is strategic and is informed by ongoing projects which build use, knowledge and understanding of collections. Typically, these will be display, exhibition, engagement or research projects. Collections material is acquired with strong reference to their potential for use.

When collecting objects from a field work process, undertaken either by an inhouse curator or by an external specialist, and particularly relevant for Natural Sciences, Archaeology and World Art, there is an understanding that RPM will accept only well-documented and provenanced collections.

All proposed acquisitions and disposals are presented by the relevant curator at the RPM Collections Development Panel, held monthly and chaired by the Head of Collections, Interpretation & Learning.

The relevant curator will present the case for the acquisition or disposal of an object, or collection, based on an assessment of all care, conservation, access and information requirements of the object in line with this policy, RPM Collections Care and Conservation Policy and RPM Documentation and Information Policy.

### 3.2 Cross-collections Themes

While individual RPM collections include items of great importance and historical interest these are enhanced through their relationships with material in other collections.

Themes which can be explored in depth and across a breadth of collections at RPM include:

#### 3.2.1 The Regency

RPM cares for a unique and unparalleled collection of visual and material culture associated with the Regency period, a collection given particular focus and strength by its relationship with the Royal Pavilion. Our Regency holdings include furniture, ceramics, glass, metalwork, satirical prints and costume. Regency period material original to or appropriate to the Royal Pavilion is an ongoing collecting focus.

### **3.2.2 Local landscapes and biodiversity**

Our Natural Sciences collection contains a wealth of specimens specific to the distinctive landscapes of the city and its surrounds, including flora, fauna and geology. Our Archaeology collections provide evidence of early human activity in this area, including material from Whitehawk Camp, one of the earliest sites of structured human activity in Brighton & Hove. Our collection of some 4,000 topographical prints in the Fine Art collection, most of which are of the city and its surrounds, provides an important resource documenting the changes in the environment. Looking to the future, we want to build on this area of strength with a particular focus on the promotion of biodiversity and exploring the impact of climate change.

### **3.2.3 Subversive design**

As is appropriate for a city which houses the quirky and eccentric Royal Pavilion, our collections provide rich evidence of the work of artists and designers who have challenged design norms. Examples include: paintings and artefacts by major Surrealist artists, including Salvador Dali; a rare and exceptional collection of sets, costumes and props created for Les Ballets in 1933; and challenging examples of contemporary art and design, including pieces by Grayson Perry.

### **3.2.4 Internationalism**

Our collections reflect the historical and contemporary cosmopolitanism of the city, with a particular focus on its relationship with the cultures, arts and citizens of India and China. The Royal Pavilion offers the best-preserved and most extensive use of chinoiserie in the country, alongside a distinctive and important collection of Chinese export ware. Its form is also inspired by Mughal architecture and India has had a particular relationship with our city, documented in photographs which record the use of the Royal Pavilion as a World War I hospital for Indian soldiers, the India Gateway, the Jaipur Gate and the collection of pioneering Indian businessman Sake Deen Mahomed. We will continue to collect in ways which reflect this internationalism.

## **3.3 Collecting strands**

Each curator at RPM collects, as appropriate, material against the cross-collection themes illustrated above, and in line with the specific key areas of collecting as per the sections detailed below.

### **3.3.1 Decorative Art (c1750 to the present)**

Key areas of collecting:

- British, European and American decorative art and design. In particular key pieces by established designers, makers and manufacturers.
- British contemporary craft, specifically key pieces by leading makers of national renown and work by makers living or working in the south-east region.
- Archives and ephemera that include documentation/correspondence or period photographs, sketches, designs or blueprints for objects, models, maquettes or trial samples of material, and trade and exhibition catalogues relating to designers, makers or manufacturers represented in the collection.

### **3.3.2 Natural Sciences (Pre-Cambrian to the present)**

Key areas of collecting:

- Local geological specimens, flora and fauna (including that of marine origin) and archives and records from Brighton & Hove, and Sussex.
- British 'hemiptera', pseudoscorpions, psocoptera, Sussex marine life, local vertebrate material (as casualties).
- Documented field collection material relating to Brighton & Hove and Sussex and material illuminating aspects of regional biodiversity.
- Non-local British Lepidoptera, Coleoptera, Mollusca, Vertebrates, and plants.
- International material including Lepidoptera (specific families of butterflies), Mollusca (especially land snails), osteology and birds.

### **3.2.3 World Art (19<sup>th</sup> century to the present)**

Key areas of collecting:

- Artefacts and contextual documentation from Africa, Asia, Oceania and the Americas and their UK diaspora communities. Emphasis is given to acquisitions that are collected in dialogue or partnership with source communities.

### **3.2.4 Fine Art (c1600 to the present)**

Key areas of collecting:

- Oils, watercolours and drawings, building on the strengths of the existing collections, especially by British artists with national or international reputations.
- Modern and contemporary art that relates to and/or reflects the lives and cultural diversity of people in Brighton & Hove (both by artists living or working in the locality and artists with national and international reputations).
- Modern and contemporary art of high quality in various media that supports the existing collection.
- Topographical images of Brighton, Hove and the immediate locality, together with works depicting renowned personalities and events in Brighton & Hove's history predominantly pre-1900.
- Material relevant to the cultural history of the Royal Pavilion, in particular, caricatures of George IV and his circle.

### **3.2.5 Costume and Textiles (mid-18<sup>th</sup> century to the present)**

Key areas of collecting:

- Costume, accessories and textiles with a strong provenance or reference to Brighton & Hove.
- Sussex costume and accessories from the Regency period, 1780s to 1830.
- Costume and accessories incorporating aspects of international fashion, especially those inspired by clothing worn in the Middle East, India, China and Japan.

- Sub-cultural dress and testimony, from the 1950s to the present only, particularly pieces with a local provenance.
- Archival and ephemeral material with relation to objects within the existing collection, such as fashion magazines, fashion plates, patterns, photographs, catalogues.

### **3.2.6 Toys (17<sup>th</sup> century to the present)**

Key areas of collecting:

- Dolls and accessories of all periods and types, dolls houses, furniture and fittings
- Toys and games
- Archive material, books and ephemera which are associated with the objects within the toy collection, and/or associated with the development of the National Toy Museum & Institute of Play.

### **3.2.7 Film and Media (1896-present)**

Key areas of collecting

- Lantern slides, material and equipment relating to film-making and photography in Britain that contextualises RPM's current and local film and media collection.
- Material, equipment, documentation and testimony relating to the Brighton school of film-makers and early film-making pioneers
- Material, equipment and testimony relating to the history of cinemas in Brighton & Hove.

### **3.2.8 Local and Social History**

RPM develops its Local History collection in order to be able to tell the stories of the people of Brighton & Hove, and of the events that have affected them. RPM acquires items which have been manufactured in, used in or associated with Brighton & Hove from the 17<sup>th</sup> century to the present. Acquisition will relate to one or more of the following spheres of local life experience:

- birth and death
- marriage, family and domestic life
- work, business and technology
- transport
- health and medicine
- conflict
- leisure and sport
- religion and belief
- politics
- civic and national life
- law, punishment and control
- childhood and education
- industry

RPM will seek to develop its Local History collections to reflect the diversity of Brighton & Hove's communities and minority groups. In order to achieve this, from time to time targeted collecting may be necessary and will be carried out in collaboration with community members.

Key areas of collecting:

- Material relating to communities and minority groups of Brighton & Hove.
- Material relating to Brighton & Hove's historical and current position as a major seaside resort.
- Photographic material and other images of Brighton & Hove.
- Domestic social history material for display in the Royal Pavilion or Preston Manor.

### **3.2.9 Archaeology (Palaeolithic to post-Medieval)**

RPM will collect individual artefacts and archaeological archives which relate to historical collections already held by RPM in accord with Sussex Museums Group guidelines for the county.

Key areas of collecting:

- Material with Brighton, Hove or Sussex provenance in accord with the Sussex Museums Group guidelines for the county, with associated documentation.
- Archives produced by development-led archaeology within Brighton & Hove which have been rationalised, before acquisition, using the guidelines stated in the Society of Museum Archaeologists publication Selection, Retention and Dispersal of Archaeological Collections Guidelines 1993 and Sussex Museum Group's Deposition Policy and Procedure.
- Documentary archives relating to excavations or watching briefs undertaken in Brighton & Hove where no finds were recorded.

### **3.2.10 Numismatics (ancient to the present)**

Key areas of collecting:

- Material with a Brighton & Hove or Sussex provenance, including coins, tokens, medals and badges.

### **3.2.11 Oral History (1900 to present)**

Key areas of collecting:

- Testimony relating to all RPM sites and buildings, and their history. This includes the Royal Pavilion estate\*, Preston Manor, Hove Museum, and the Booth Museum.
- Testimony relating to RPM collections (see each collection strand for more detail)
- Testimony relating to people related to the history of RPM, including its buildings and collections, such as collectors, owners, donors, occupants, and past staff.
- Testimony collected to support the exhibitions, learning and community engagement programme of RPM.
- Testimony relating to local identity, the Brighton & Hove and Sussex landscape, culture and folklore.
- 'Hidden histories' recorded material from under-represented communities and histories within Brighton & Hove.
- Recorded material from local community projects.

Format: Recordings on digital format (sound and video oral histories) are to be collected as well as recordings that are on older formats which are at risk due to playback obsolescence.

\*The Royal Pavilion estate includes the Royal Pavilion; Brighton Museum & Art Gallery; Brighton Dome; the Corn Exchange; the William IV Gate; the Indian Gate; and the Pavilion gardens.

### 3.2.12 Education and Handling

Key areas of collecting:

- Artefacts and material used for handling and demonstration to deliver themed sessions, in relation to the RPM's collections and RPM's current Business Plan.

### 3.2.13 Books and Archive Material (medieval to the present)

Key areas of collecting:

- Books, ephemera and archive materials relating to the people who were historically associated with, developed or deposited RPM collections such as, but not exclusive to: Henry Willett, Herbert Toms, Fredrick Lucas, Edward Thomas Booth, Sir Charles and Lady Ellen Thomas-Stanford.
- Books, ephemera and other archive materials (including sketches, designs, and models) up to the present time, relating to the history of RPM and the buildings that RPM cares for:
- the Royal Pavilion and the Royal Pavilion estate (including Brighton Museum & Art Gallery) o Preston Manor and gardens o the Booth Museum of Natural History o Hove Museum & Art Gallery
- Books and archive materials ranging from medieval manuscripts and incunabula to autograph letters as appropriate to support the RPM Business Plan and the key collecting areas of each collection. (See individual collection strands for further details).

### 3.2.14 Preston Manor

Key areas of collecting:

- Items formerly in the house or in the possession of the Stanford family (primarily before the house was acquired by BHCC in 1932).
- Items that are related to pieces listed in the 1906 inventory of contents of Preston Manor, such as Edwardian furniture, decorative arts and artefacts.
- Topographical material relating to Preston Manor.

### 3.2.15 The Royal Pavilion

Key areas of collecting:

- Original material from the Royal Pavilion.
- Material relating to George IV, William IV and Queen Victoria, particularly with reference to their connection with the Royal Pavilion.
- Regency furniture, decorative arts, and artefacts which are original, or appropriate to, the Royal Pavilion, and artefacts relevant to the refurbishment of the Royal Pavilion.
- Fine Art material suitable for the historical restoration of the Royal Pavilion, as well as images relevant to its cultural history.



- Archives and ephemera that include documentation/correspondence or period photographs, sketches, designs or blueprints for objects, models, maquettes or trial samples of material, and trade and exhibition catalogues relating to designers, makers or manufacturers represented in the Royal Pavilion collection.

#### **4 Themes and priorities for rationalisation and disposal**

This section sets out RPM's approach to rationalisation and disposal. It details the criteria governing future disposals at RPM including the collections, subjects or themes, periods of time and/or geographical areas which will not be subject to further acquisition and, for curatorially motivated reasons, will be disposed of.

Responsible, curatorially-motivated disposal takes place as part of a museum's long-term collections policy, in order to increase public benefit derived from museum collections<sup>5</sup>.

As detailed in section 13 (f) RPM will not undertake disposal motivated principally by financial reasons. Disposal will be motivated by curatorial reasons and follow the procedures outlined in paragraphs 13g-13s. The method of disposal may be by gift, sale or exchange.

##### **4.1 Definitions of disposal**

- **Active disposal:** where RPM will actively seek to dispose of objects.
- **Opportunistic disposal:** If an opportunity to acquire arises, the disposal will be considered. This may be by means of a request by another Accredited museum to acquire the collection to supplement their own.

Where active disposal occurs, it is developed in line with the RPM Business Plan and the cross-collection themes indicated below.

##### **4.2 Cross-collections Disposal Priorities**

While individual RPM collections include items of great importance and historical interest they also contain artefacts that have been obtained historically with no provenance, no documentation and are of no current use, either due to their current condition or because they hold little relevance to the core collections and do not 'fit' with the current or past collecting policies.

Therefore the current priorities for objects to be assessed for disposal at RPM are:

1. Unaccessioned material, including
  - unsolicited donations, with no records
  - objects or material with little or no documentation
2. Accessioned objects (and/or objects from the Education Collection)
  - which have significant damage or have significant deterioration, which means that they can no longer be used or displayed, and have no research potential.
3. Accessioned objects that are
  - a hazard and cannot therefore be used effectively within the public local authority museum

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<sup>5</sup> See Museums Association *Disposals Toolkit* page 5

- poorly provenanced, and for which RPM holds little or no documentation.
- a duplicate of another object, which cannot be used for educational sessions or any other uses
- an object that would benefit from improved storage and improved use by being transferred to a specialist (or nonspecialist) museum
- a significant or non-significant object that would be better suited to being used by another Accredited museum which holds a strong collection of objects of this type
- an object which does not fit with the core collection, and holds little or no relevance to current collecting policy
- a significant or non-significant object that is relevant to the local history of another area that this RPM Collections Development Policy does not cover i.e. outside Brighton & Hove, Sussex, or southern UK.

As stated below in section 13, by definition RPM has a long-term purpose and holds collections in trust for society in relation to its stated objectives. This will always be at the forefront when considering rationalisation and disposal of objects. Disposal will only be motivated for curatorial reasons, to the benefit and development of the collections to achieve our mission statement and RPM Business Plan.

The Collections Reviews, completed and planned, which will aid rationalisation and disposal decision making are undertaken following published project methodologies, such as those presented in What's in Store? Collections Review in the North West, and the Museums Association Effective Collections Programme Prospectus 2009-12.

Further information on the procedures including documentation of disposal processes with RPM can be found in RPM Collections Management & Documentation Procedure Manual.

## **5 Limitations on collecting**

RPM 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 inadequate resources, staffing, storage and care of collection arrangements.

Items purchased with external support may be subject to external guidelines e.g. MLA/V&A Purchase Grant Office (Art), MLA/ Preservation of Industrial and Scientific Material/Science Museum (Science and Technology), and National Art Collections Fund (Art) etc.

## **6 Collecting policies of other museums**

RPM will take account of the collecting policies of other museums and other public 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.

RPM will co-operate with museums, historic buildings and private collectors on acquisition and disposal issues where possible. When RPM is offered a specimen, artefact or collection which does not meet the acquisition criteria but is of sufficient merit to be used by another museum it will seek to recommend that the specimen,

artefact or collection be offered to a registered institution (starting with relevant museums in the immediate region) which seeks to acquire material of that area type.

As required RPM will seek information about the collecting policies of other institutions locally and from the relevant subject specialist networks and groups, such as the Biological Curators' Group, Geological Curators' Group, Museum Ethnographers' Group, SSN European Paintings pre-1900 and Sussex Museums Group.

Specific reference is made below to the following museums and organisations, and the predominant collections that they hold, which RPM curators will be aware of when accepting new acquisitions and rationalising the current collections:

- **Members of Sussex Museums Group:** Hastings Museum – World Art; Horsham Museum – Local & Social History, Costume; Bexhill Museum – Costume, Archaeology, Natural Sciences, World Art; Redoubt Fortress – Military, Edged Weapons; Worthing Museum – Costume, Archaeology; Littlehampton Museum; Chichester Museum – Archaeology; Weald & Downland Open Air Museum – Local Architecture, Tools; Amberley Museum & Heritage Centre – Industrial Heritage, Tools; Sussex Archaeology Society – Archaeology within Sussex, Local History
- **East Sussex Record Office, Lewes** – Archives of East Sussex, and Brighton & Hove (under agreement with BHCC)
- **West Sussex Record Office, Chichester** – Archives of West Sussex
- **Brighton Toy & Model Museum** – Local & Social History, Toys, Models
- **Fishing Museum, Brighton** – Local & Social History
- **Police Cells Museum, Brighton** – Local & Social History
- **Pallant House, Chichester** – Fine Art, Decorative Art, Local & Social History
- **Towner Art Gallery, Eastbourne** – Fine Art, Local & Social History
- **Jerwood Gallery, Hastings** – Fine Art (currently not collecting specifically for Hastings Gallery)
- **National Trust** – Fine Art, Decorative Art, Local & Social History with relation to properties situated in local Sussex region)
- **English Heritage** – Fine Art, Decorative Art, Local & Social History in relation to properties situated in local Sussex region

A further detailed list of all regional museums and heritage sites within the local southern region can be found in RPM Collections Management & Documentation Procedural Manual.

Where items are acquired for the archaeology collections, RPM will act in accordance with Selection, Retention and Dispersal of Archaeological Collections: Guidelines for use in England, Wales & Northern Ireland by the Society of Museum Archaeologists, 1993.

RPM will be sensitive to the curation of human remains and material of ritual significance, with reference to the Department for Culture, Media & Sport's Guidelines for the Care of Human Remains in Museums, 2005. Please see Appendix 6 for RPM's Care and Treatment of Human Remains Policy.

## **7 Policy review procedure**

This RPM Collections Development Policy was approved with a dated committee minute signed by a properly authorised person. Please refer to the beginning of the document for date and details.

The RPM 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 existing collections.

### **13. ACQUISITIONS NOT COVERED BY THE POLICY**

Acquisitions outside the current stated policy will only be made in very exceptional circumstances, and then only after proper consideration by the governing body of the museum itself, having regard to the interests of other museums.

### **14. ACQUISITION PROCEDURES**

- a) The museum service will exercise due diligence and make every effort not to acquire, whether by purchase, gift, bequest or exchange, any object or specimen unless the governing body or responsible officer is satisfied that the museum service can acquire a valid title to the item in question or clarify copyright issues relating to the item in question.
- b) In particular, the museum service 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 1 November 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 & Sport in 2005.
- d) So far as biological and geological material is concerned, the museum service will not acquire by any direct or indirect means any specimen that has been collected, sold or otherwise transferred in contravention of any national or international wildlife protection or natural history conservation law or treaty of the United Kingdom or any other country, except with the express consent of an appropriate outside authority.
- e) The museum service 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, 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 as defined by the Treasure Act 1996, or reporting finds through the Treasure Trove procedure (in Scotland).

- f) Any exceptions to the above clauses 9a, 9b, 9c or 9e will only be because the museum 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

In these cases the museum will be open and transparent in the way it makes decisions and will act only with the express consent of an appropriate outside authority.

- g) As the museum holds or intends to acquire human remains under 100 years old, it will obtain the necessary licence under the Human Tissue Act 2004.
- h) As the museum holds or intends to acquire human remains from any period, it will follow the procedures in the Guidance for the care of human remains in museums issued by DCMS in 2005.

## **15. SPOILIATION**

The museum service 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.

## **16. THE REPATRIATION AND RESTITUTION OF OBJECTS AND HUMAN REMAINS**

The museum's governing body, acting on the advice of the museum's professional staff, 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 13a-13d, 13g and 13o/s 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.

## **12 Management of archives**

As the museum service 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 (third edition, 2002).

## **17. DISPOSAL PROCEDURES**

### **Disposal preliminaries**

- a. The governing body will ensure that the disposal process is carried out openly and with transparency.
- b. By definition, the museum has a long-term purpose and holds collections in trust for society in relation to its stated objectives. The governing body therefore accepts the principle that sound curatorial reasons for disposal must be established before consideration is given to the disposal of any item in the museum's collection.
- c. The museum will confirm that it is legally free to dispose of an item and agreements on disposal made with donors will be taken into account.
- d. When disposal of a museum object is being considered, the museum will establish if it was acquired with the aid of an external funding organisation. In such cases, any conditions attached to the original grant will be followed. This may include repayment of the original grant and a proportion of the proceeds if the item is disposed of by sale.

### **Motivation for disposal and method of disposal**

- e. When disposal is motivated by curatorial reasons the procedures outlined in paragraphs 13g-13s will be followed and the method of disposal may be by gift, sale or exchange.
- f. The museum will not undertake disposal motivated principally by financial reasons.

### **The disposal decision-making process**

- g. Whether the disposal is motivated either by curatorial or financial reasons, the decision to dispose of material from the collections will be taken by the governing body only after full consideration of the reasons for disposal. Other factors including the public benefit, the implications for the museum's collections and collections held by museums and other organisations collecting the same material or in related fields will be considered. External expert advice will be obtained and the views of stakeholders such as donors, researchers, local and source communities and others served by the museum will also be sought.

The following collections are subject to charitable trust and charity law and are legally trust property held on trust by BHCC.

Any considerations of disposal of these collections will be referred to the Charity Commissioners.

- Collections at Preston Manor included within the charity known as The Stanford Museum and Public Park. Charity number 266956.
- Collections at the Booth Museum. Charity number 266954.
- Specified collections in the National Toy Museum & Institute of Play. Charity number 268839.

### **Responsibility for disposal decision-making**

- h. A decision to dispose of a specimen or object, whether by gift, exchange, sale or destruction (in the case of an item too badly damaged or deteriorated to be of any use for the purposes of the collections or for reasons of health and safety) will be the responsibility of the governing

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

### **Use of proceeds of sale**

- i. Any monies received by the museum governing body from the disposal of items will be applied for the benefit of the collections. This normally means the purchase of further acquisitions. In exceptional cases, improvements relating to the care of collections in order to meet or exceed Accreditation requirements relating to the risk of damage to and deterioration of the collections may be justifiable. Any monies received in compensation for the damage, loss or destruction of items will be applied in the same way. Advice on those cases where the monies are intended to be used for the care of collections will be sought from the Arts Council England.
- j. The proceeds of a sale will be ring-fenced so it can be demonstrated that they are spent in a manner compatible with the requirements of the Accreditation standard.

### **Disposal by gift or sale**

- k. Once a decision to dispose of material in the collection has been taken, priority will be given to retaining it within the public domain, unless it is to be destroyed. It will therefore be offered in the first instance, by gift or sale, directly to other Accredited museums likely to be interested in its acquisition.
- l. If the material is not acquired by any Accredited museums to which it was offered directly as a gift or for sale, then the museum community at large will be advised of the intention to dispose of the material, normally through an announcement in the Museums Association's Museums Journal, and in other specialist journals where appropriate.
- m. The announcement relating to gift or sale will indicate the number and nature of specimens or objects involved, and the basis on which the material will be transferred to another institution. Preference will be given to expressions of interest from other Accredited museums. A period of at least two months will be allowed for an interest in acquiring the material to be expressed. At the end of this period, if no expressions of interest have been received, the museum may consider disposing of the material to other interested individuals and organisations giving priority to organisations in the public domain.

### **Disposal by exchange**

- n. 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.
- 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 13a-13d and 13g-13h will be followed as will the procedures in paragraphs 13p-13s.
- 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 museum 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 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.

### **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 de-accession and disposal.

## **18. BIBLIOGRAPHY**

The documents and publications referred to within this policy are:

- Museums Association, Disposal Toolkit: Guidelines for Museums, London: Museums Association, 2008, revised 2014
- Museums Association, Code of Ethics, London: Museums Association, 2008, revised 2015
- PAS 197:2009 Code of practice for cultural collections management, London: British Standards Institution, 2009
- Internal documents:
  - RPM Collections Care and Conservation Policy, 2013
  - RPM Collections Documentation and Information Policy, 2013
  - RPM Collections Management & Documentation Procedure Manual, 2017
  - RPM Disaster & Business Continuity Plan, 2017
  - RPM Business Plan, 2018
  - RPM Sustainability Action Plan, 2013
  - The Keep Collections Statement, 2013

Publications that have been referred to in this policy are:

- What's in Store? Collections Review in the North West, 2008, Renaissance North West,
- Sally Cross, Museums Association Effective Collections Programme Prospectus 2009-12, Museums Association
- Society of Museum Archaeologists: Selection, Retention and Dispersal of Archaeological Collections Guidelines 1993
- Sussex Museum Group's Deposition Policy and Procedure



### **3b Royal Pavilion & Museums Collections Care and Conservation Policy**

**Date at which this policy is due for review: January 2021**

## **1. Statement of purpose**

RPM's vision is to provide museums that play a vital role in making Brighton & Hove a fantastic place to live work and visit, and inspire people to build a more sustainable and socially just world. Our mission is to preserve the past to inform the present. Using the outstanding collections, buildings and knowledge in our care, we will challenge and inspire our visitors to positively shape their future. Our sustainable museums will support the economy of Brighton & Hove, promote personal well-being, and celebrate diversity.

We aspire to transform into a resilient organisation with a reputation for vibrancy and relevance, renowned for its digital innovation and inspiring a sense of shared ownership, and where our work is driven by creative collaborations with local communities and partner organisations.

RPM collects, rationalises and disposes of collections within the remit and guidelines set out in this Collections Development policy document, in line with our current Business Plan.

Caring for the collections is a fundamental duty and a core discipline for all museums.

The Royal Pavilion & Museums (RPM) is committed to ensuring the preservation, knowledge of and access to collections and buildings, in order that they are enjoyed and understood by current and future generations. This is achieved through a commitment to pursuing best practice standards in care and conservation for all of RPM's buildings and collections.

The collections are the heart of the organisation; they are both its raison d'être and its unique selling point. They number approximately one million items. The Decorative Art, World Art and Natural Science collections are Designated as being of outstanding national and international importance. The management and care of these collections are central to the aims and key activities which underpin the mission of RPM. As a lead member of the southern region and a major Arts Council England grant holding museum, RPM has a role as an exemplar on care and conservation matters.

RPM's approach to collections care and conservation is illustrated in this policy, which is designed to achieve the aims set out in the RPM Business Plan and to be in proportion to resources available to RPM.

The aims for our 2018-22 Business Plan are:

- Be more strategic in caring for and developing our natural, scientific and cultural resources for present and future generations.
- Develop a distinctive offer at each of our five sites and online to support learning, creativity and well-being
- Actively engage more people in understanding, developing and / or interpreting our shared collections, including a focus on children and young people

- Build a co-operative, sustainable and resilient organisation that supports the wider cultural sector
- Ensure the organisation and its work reflects the diverse culture of contemporary society

All five aims are supported by the RPM Collections Care and Conservation Policy, especially in the areas of the following key activities:

- o Public programming
- o Learning and community engagement
- o Digital engagement
- o New galleries
- o City-wide initiatives
- o Accreditation standards
- o Maintaining and presenting the collections and buildings
- o Developing the collections to maintain the contemporary record
- o Sustainable use of all resources & sites, collections and assets
- o Improving RPM's profile and brand
- o Workforce, volunteer development and succession planning
- o Developing and sustaining partnerships
- o Developing processes to support the organisation deliver efficiently and effectively
- o Leading museum development in the south east
- o Supporting museum development through sharing our expertise
- o Developing and championing diversity
- o Developing dispersed leadership

This policy is designed to

- ensure that RPM promotes physical access and safe use of the collections, whilst preserving the buildings and collections for the future
- ensure that all staff at RPM pursue best practice in care and conservation procedures in accordance with this policy and the following standards
  - o Benchmarks in Collections Care for Museums, Archives and Libraries
  - o PD5454:2012 Guide for the storage and exhibition of archival materials
  - o PAS 197:2009 Code of practice for cultural collections management
  - o SPECTRUM 5.0 The UK Museum Collections Management Standard
  - o ICON and Museums Association Professional Guidelines and Code of Ethics
  - o Code of Ethics and Rules of Practice of the United Kingdom
  - o Institute of Conservation of Historic and Artistic Works (UKIC)
  - o Health and Safety at Work etc Act 1974
- ensure that RPM maximises cost effective and sustainable use of resources in local, regional and global contexts, and prioritises conservation requirements within the framework of resources available
- support and promote the ethics of conservation, and educate the public and staff about conservation principles and methods

This policy applies to all RPM collections and objects in RPM care. This includes objects held in the permanent collection, handling collections and loans in from

other organisations or owners.

This policy is supported by procedures detailed in the RPM Collections Management & Documentation Procedure Manual, and a plan of action illustrated in the RPM Collections Care and Conservation Plan.

## **2. Preventative Conservation**

Preventative conservation covers the measures necessary to retard or minimise deterioration of museum objects, specimens and structures. This is the planned and controlled change to the environment and surroundings of an object to reduce or eliminate, as far as possible, the known aspects of that objects deterioration. The necessary preventative measures are based on a thorough understanding of how objects and specimens react to their environment and how they will deteriorate physically or chemically.

### **2.1 Staffing and authorisation**

- This policy relates to all staff of RPM.
- It is the responsibility of all RPM staff to be aware of the buildings and collections in which they work, and to work with knowledge of the sensitivities of this under the direction of the Collections and Conservation Teams.
- All actions relating to collections will be authorised by the relevant Keeper, Curator and/or Head of Collections, Interpretation & Learning. These actions include (but are not exhaustive to): the movement, handling, remedial and preventative conservation; and the use of and entry to galleries, stores and other areas where collections are stored, displayed or used at all RPM sites.
- The Collections and Conservation Teams are committed to training and raising awareness of collections care issues.
- All guidelines and information relating to collections care practices and procedures will be held on a central computer network and be accessible to all staff.
- RPM will employ qualified and experienced staff to implement this policy.
- RPM will maintain a list of approved external specialist conservation providers and contractors will be maintained and constantly reviewed, being updated every two years.
- Any new contractors will be vetted as per standard vetting procedures prior to employment.
- RPM will seek to benefit from close partnership with local archive services e.g. East Sussex Record Office, in the care of archives and other paper-based collections with the aim of pursuing best practice as per PD5454.
- RPM commits to maintaining sufficient numbers of qualified staff in the areas of security, conservation and curatorship in direct correlation to the significance and preservation needs of the buildings and collections.

### **2.2 Training, learning and dissemination**

- A Care of Collections training programme and guidelines will be developed

and used for the induction of all relevant new members of staff.

- All RPM staff will be made aware of the specific requirements of working within a museum environment, including issues around moving and handling objects, within the first six months of employment.
- RPM staff with direct contact with collections will receive basic training in object handling within the first month of employment.
- The RPM Conservation Team will provide training in conservation and collections care appropriate to the needs of all relevant staff, trainees and volunteers, using external providers where appropriate.
- RPM will continue to develop links with professional conservation training institutions or organisations.
- The RPM Conservation Team will share expertise and disseminate information about conservation and the preservation of material culture, and the natural and built environments and actively take part in the further training on conservation issues of permanent staff and others, including students, interns, trainees and volunteers.
- RPM will make available selected conservation services, training and advice to museums in the south east region and other relevant stakeholders.

### **2.3 Planning**

- RPM will review the RPM Business Plan in order to balance the available resources of the collections care team against the needs of the collections and buildings.
- RPM will survey, benchmark and visually inspect buildings and conditions in which collections are kept to produce a Collections Care and Conservation Plan, in line with RPM Business Plan, and act upon it.

The RPM Collections Care and Conservation Plan will be optimised by assessment and reduction of risks to buildings and collections, with priorities decided in the light of their needs and significance. The plan will include schedules for preventative and remedial conservation, and define priority areas for improvement in line with Benchmarks in Collections Care and other relevant standards.

- RPM acknowledges that standards of care may vary according to the significance, rarity/replaceability, fragility, and access demand for any individual object, or any collection, and in accordance with any owner requirements for items on loan.
- When planning developments, repair programmes and changes of use to any RPM buildings, RPM will ensure best practice, cost-effective and sustainable measures are taken for the benefit of collections and buildings. This will be undertaken in consultation with relevant staff and users, stakeholders, and in line with any statutory requirements e.g. English Heritage Listed Building Consent.
- Where RPM concludes that it is unable to provide adequate care or accommodation, or if better care of and/or access to collections and buildings can be provided by other organisations, rationalisation will be considered using the RPM Collections Development Policy and RPM Disposal Procedures based on the Museums Association's Disposal Toolkit in order to follow best practice.

## 2.4 Funding

- RPM may seek external funding for specific conservation projects as agreed by the RPM Leadership Team.
- Conservation costs generated by capital projects should be identified and either paid for out of project funds or recognised as part of RPM match funding.
- When acquiring large collections, RPM will seek endowments for their ongoing housing, care and conservation.

## 2.5 Systems

- RPM collections and buildings are safeguarded through the effective management of the following systems and programmes:
  - Building Maintenance programme, including quinquennial reviews ◦ Building Management System
  - Mechanical and Electrical Maintenance programme
  - Intruder alarms, buildings and specific case alarms
  - Fire and Evacuation Systems
  - Environmental Monitoring Systems ◦ Hanwell, Ridout, and thermo-hygrographs
  - Integrated Pest Management monitoring programme ◦ Collections Management System ◦ MimsyXG
  - The Keep Inventory Management System ◦ IMS
  - Digital Asset Management System ◦ Asset Bank
- All relevant systems will be covered by service contracts as appropriate and inspected periodically.
- All programmes of maintenance will be resourced and undertaken by experienced staff.

## 2.6 Buildings

- RPM recognises that the maintenance of a building's fabric and services is fundamental to the preservation of both buildings and collections and will seek to secure adequate funding and promote good services in these areas.
- RPM will seek to ensure that all collections are housed in buildings that meet agreed minimum standards of construction and condition as per PD5454 and Benchmarks in Collections Care.

## 2.7 Security

- RPM aims to provide buildings and maintain security systems that meet current preservation and conservation standards in order that all collections are kept in a state of high protection and security at all times.
- Collections should be stored or displayed in prescribed secure areas in accordance with RPM Security Policy and the Museums and Galleries Commission's Security Guidance Notes.
- For transport and the loan in and out of collections, a security risk assessment and a UKRG Standard Facilities Report of the destination venue will be undertaken by the Curator, with assistance from the Security

& Fire Safety Manager as appropriate.

- RPM will invigilate exhibition and display areas when open to the public.

## **2.8 Storage**

- RPM aims to pursue best practice with its collections in store through the use of buildings, rooms, shelving, and packaging that provides the optimum climate of temperature, relative humidity, and light levels, etc in a pollution- and pest-free environment in accordance with BS5454, PD5454, and Benchmarks in Collections Care.
- RPM will survey its stores bi-annually and score them overall using the ICCROM Storage Evaluation Tools.
- RPM restricts access to collection areas such as stores, conservation workshops and inside display cases to the relevant curatorial or conservation staff, to minimise risk to both objects and staff. The rules and regulations pertaining to the individual stores, conservation workshops and display must be adhered to. Other staff requiring entry to these areas must seek authorisation from the relevant Curator prior to activity.
- Access to RPM archives will be authorised by the relevant Curator, unless outsourced to a third party organisation for management, as with the agreement with East Sussex County Council and the East Sussex Record Office.

## **2.9 Housekeeping**

- RPM will maintain an established housekeeping programme that follows benchmarking action plans. Staff will be trained to clean storage and display areas in a way that is not detrimental to the collections, the fabric of the building, the historic or restored interiors, and to any fixed decoration.
- RPM will minimise the use of chemical-based cleaning products and using dedicated materials and equipment in vulnerable areas.

## **2.10 Pest Monitoring**

- RPM commits to monitoring all display, storage and conservation areas for the presence of pests. RPM will control and aim to eradicate all pests. Any activity that could encourage pest infestation will be assessed for risk prior to commitment.
- RPM will establish and maintain programmes of cleaning, housekeeping and pest management, including segregation and quarantine, which pursue best practice and follow published standards.
- RPM will inform all contractors or partner companies working within RPM buildings and near collections of minimum standards and stipulate that the contractor or company adhere to pest management procedures.
- Any pest treatment carried out by RPM will comply with relevant and current health and safety legislation.

## **2.11 Acquisition of Collections**

- All proposed acquisitions will be assessed before acquisition against the RPM Collections Development Policy and discussed at the Collections

Development Panel, where the cost implications of conservation and long-term care can be discussed, identified and resourced.

- RPM staff will be required to carry out conservation assessments of the collections prior to acquisition, loan and display, assessing objects on inward loan and regularly monitoring the condition of all specimens.
- New acquisitions and incoming materials will be held in quarantine pending full inspection. All incoming materials should be examined for signs of infestation, dampness or mould. Remedial action is taken promptly to deal with any identified problems.

## **2.12 Handling, Transport of Collections**

- RPM will promote best practice in handling and care of objects, and minimise the risks to their long-term preservation.
- RPM acknowledges that to minimise risk of damage to collections, the handling and use of objects is decided by, and restricted to, curators and conservators, except where express permission has been given by the Curator responsible for the collection.
- Movement of large or awkward items will be planned in advance by the Curator having taken advice from the Conservation Team or external specialist, and requires a risk assessment and method statement prior to movement. The risk assessment and method statement should be written by a trained specialist and documented on MimsyXG.
- Specialist trained staff and contractors will be used to handle and transport large, heavy, awkward or fragile objects.
- All RPM objects, and loaned objects, will be suitably crated or wrapped before transport, as specified by the Curator or a conservator.
- RPM objects transported abroad will be accompanied by a courier, who will either be a member of RPM collections or conservation staff or a delegated representative from another museum.
- An assessment will be made by the Curator, in conjunction with the Security & Safety Manager as required, that the level of security is appropriate for any item to be transported or housed offsite.

## **2.13 Use of Collections and Buildings**

- RPM aims to maximise intellectual access to collections by sharing understanding of their physical nature and needs.
- At RPM in general it is taken as read that all accessioned collections objects are non-operated or non-working unless specified in their accompanying documentation and on MimsyXG. A working, historical machinery item or object presents as a special case for consideration of conservation matters and should be assessed in line with Benchmarks in Collections Care.
- If an object or machinery is to be regularly 'moved, worked or played' and is considered as a working object, then a maintenance and operating log will be established in accordance with the Museums and Galleries Commission Care of Collections Guidelines No 4, 1994.
- A change to the use of an object, room or building will be authorised by the



relevant Curator or Head of Collections, Interpretation & Learning after a documented review by a specialist conservator.

- RPM will work with an awareness that in some cases both accessioned and non-accessioned collections or the building may be made so accessible that the object or building fabric is used and handled until it wears out or is destroyed by its use. The level of use is to be decided at the discretion of the relevant Curator and the Head of Collections, Interpretation & Learning after undertaking a risk assessment and method statement to ensure that the use or function of an object or area should not outweigh the limitations, significance and value of the object or area.
- To preserve the internal fabric of historic buildings and the collections held within them and to maintain health and safety for the public, the number of people allowed in each building and each room at any one time will be restricted and monitored.
- Building and room number restrictions will be set by the Senior Keeper: Conservation & Historic Buildings, documented on MimsyXG Facilities module and reviewed every five years. Any changes to this will be discussed and minuted at the Information Exchange meetings chaired by a member of LT.
- Within a reading or research room or any access to collections, public users are asked to abide by the guidelines set out by the Curator or designated staff member, or by written instructions and reading room practices advertised. Procedures for non-compliance with the advertised practices will be strictly enforced.

## **2.14 Displays and Exhibitions**

- RPM aims to present collections in the best possible condition.
- RPM will seek to ensure that all collections are housed, mounted and displayed in buildings, rooms, cases, and on mounts that meet agreed minimum standards of construction and condition, in the knowledge that occasionally, at the discretion of the Curator, the opportunity for use may outweigh the risk to collections.
- RPM aims to pursue best practice to provide optimum climate of temperature, relative humidity, light levels, security etc in a pollution- and pest-free environment that achieves a satisfactory compromise between long-term preservation of objects and specimens, and accessibility to public and staff.
- RPM staff will be committed to best practice in collections care. When new displays and exhibitions are planned, the conservation implications are considered at an early stage to achieve a satisfactory compromise between long-term preservation of collections and their accessibility to the public. This includes, but is not exhaustive to, the selection of objects; assessment of condition; selection of furniture, materials, mounting and presentation aids; and the commissioning of any necessary remedial treatment of individual objects.
- When employing external specialists for display, design, mounting and art handling work, RPM is committed to employing suitably experienced and/or qualified professionals.
- RPM will work with the awareness that some decisions on use of collections could prejudice the future research value of an object.

- Displays, exhibitions events, functions and filming in RPM historic buildings will be organised and undertaken by Curators, Programmers and other relevant staff with an understanding of the need for preservation and the limitations that can working in a historic building can bring. A risk assessment, method statement and discussion with the relevant Curator and Senior Keeper: Conservation and Historic Buildings will be required in line with procedures set out in RPM Collections Management and Documentation Procedure Manual.

## **2.15 Loans**

- RPM is committed to increasing access to the collections through facilitating the process of loans (see RPM Loans Policy).
- RPM will assess and agree loan requests (both incoming and outgoing) at the Collections Loans Panel chaired by Head of Collections, Interpretation & Learning.
- RPM's assessment of loan suitability will be based upon a risk assessment made by the relevant Curator and, if necessary, the advice of a conservator.
- RPM will ensure that lenders' conservation requirements can be met before agreeing to borrow objects for use at RPM sites.
- RPM insists that all objects borrowed and loaned will be condition-checked on arrival and departure by a Curator or their agreed representative.
- RPM is committed to maintaining records of the loan and exhibition processes, which include retaining the risk assessment form, condition report form, object entry and exit forms, any quarantine conditions, and insurance details, all in accordance with SPECTRUM standards.
- Where appropriate RPM will apply the conditions described in the Government Indemnity Scheme and where possible apply the conditions described in the Museum and Galleries Commission Standard for Touring Exhibitions.

## **2.16 Environmental Monitoring and Control**

- RPM aims to pursue best practice to provide optimum climate of temperature, relative humidity, light levels, etc in a pollution-free environment that achieves a satisfactory compromise between long-term preservation of objects and specimens and accessibility to public and staff.
- RPM commits to minimising any risk of damage due to any physical, chemical, biological and environmental factors to collections or buildings.
- RPM commits to minimum standards that aim for all displays, storage and areas that contain collections will be environmentally monitored. (See RPM Collections Management & Documentation Procedure Manual for control factors and methods used).
- A programme of analysis and interpretation of the collected environmental data will occur and be documented, and acted upon to provide stable and appropriate collection environments. The documented records will be retained for a minimum of five years.
- RPM understands that active\* and passive\*\* control of the internal

environment of buildings is vital to the preservation of the contents. For reasons of economy and sustainability RPM aims to use passive controls over active or mechanical controls wherever feasible, and conservation advice will be sought whenever changes are planned.

- RPM will inform all contractors or external companies working within RPM buildings and near collections of the minimum standards, and request that the contractor or company adhere to this policy.
- A record is kept of maintenance and calibration of all environmental control equipment.
- \* Active ☺ heating, cooling, humidification, de-humidification, mechanical ventilation and lighting \*\*Passive ☺ solar controls, natural ventilation and natural lighting

### **2.17 Surrogates and New Media**

- RPM will aim to preserve some fragile or heavily-used material or objects through the making and use of surrogate copies. The selection for this will be by the Curator and based on an assessment of current and potential for use.
- Fragile items should be assessed by the Curator and a specialist conservator or staff trained in handling and preservation awareness before a surrogate is made.
- The condition of surrogates should be monitored and reviewed every two to five years as appropriate.
- For digital copies, the metadata should be recorded to provide all necessary details of the material's content, layout, format, mode, and density essential to its present and future accessibility.

### **2.18 Documentation**

- RPM will document all activities and conservation measures covered by this policy, to the standards outlined in SPECTRUM.
- Every collections object should have a unique identifier and have a record on MimsyXG.
- All visual references, images, photographs of collection objects and activity associated with objects or buildings should be archived and documented on MimsyXG. If in a digital form they should be both stored on Asset Bank and recorded on MimsyXG.
- All condition and conservation reports will include reference to all visual documentation including photographs, and all reports should be recorded on MimsyXG, and hard copies must be filed with reference to the unique acquisition number in fireproof cabinets.
- RPM will seek to record the condition of collections on MimsyXG, according to their nature and significance, and aims to update records at intervals of not more than seven years.
- RPM will retain a record of the agreed access level for objects on MimsyXG. These records will be used as a basis for selection of handling collections and levels of use. Please see Section 2.13 Use of Collections

and Buildings, bullet point 2, for further guidance.

## **2.19 Emergency planning, procedures and response**

- RPM employs an Incident Management Group (IMG) which meets every six months to review the RPM Disaster & Business Continuity Plan (BCP), the organisation's disaster preparedness and emergency plans, in light of any incidents that have occurred, or potential changes across all RPM sites. This group is formed of curatorial and conservation staff, and staff that represent each department at RPM.
- RPM provides appropriate and regular training to all staff in disaster protection and response.
- RPM provides suitable equipment and materials in Disaster Cupboards at all sites, at all times and this is reviewed every 3 months.
- Disaster response information (see RPM Disaster & Business Continuity Plan) is located in all collection holding areas.
- The RPM Disaster & Business Continuity Plan identifies external bodies whose services may be used in specific emergency situations.
- Risk assessments are made of hazards and these hazards are regularly monitored, and any incidents are acted upon.
- In the event of disastrous damage (as from flood, fire etc), RPM will take measures over and above those necessary for the day-to-day protection of collections, and put in place emergency arrangements and facilities.
- The relevant Curator, Senior Keeper: Conservation & Historic Buildings and Head of Collections, Interpretation & Learning must be notified immediately of any incident involving collections.
- All response teams will include at least one curator and one conservator, who will lead and supervise the handling and care of collections in the aftermath of an emergency.

## **2.20 Damage**

- RPM is committed to minimising damage to objects, buildings and historic or decorated interiors, through use of preventative conservation and conforming to minimum standards. If damage is found by a member of staff (other than the relevant Curator) they must endeavour to inform and seek advice immediately from the relevant Curator or the Senior Keeper: Conservation & Historic Buildings.
- Where damage occurs to an object it is the responsibility of the Curator of each collection to ensure that a remedial assessment is taken promptly and implemented as appropriate. This assessment should be fully documented on MimsyXG to SPECTRUM standards. A record of such damage will also be monitored and filed by the Senior Keeper: Conservation & Historic Buildings.
- Where damage occurs to a building, or the fabric of the building interior, it is the responsibility of the Senior Keeper: Conservation & Historic Buildings, in conjunction with the Security & Fire Safety Manager as appropriate, to ensure

that through prompt action the buildings and collections are made secure and safe, to protect the building, the collections, staff and public.

- It is the responsibility of all RPM staff to be vigilant to any potential, perceived, or real damage to buildings and collections.
- An annual report of all damage occurring to buildings and collections is collated and reported to DMT to inform the RPM Business Plan.

### 3. Remedial Conservation

**Remedial conservation** is the active and possibly invasive treatment of an object, specimen, interior, or building to stabilise its condition, or enhance some aspect of its cultural or scientific significance for study and interpretation. The necessary remedial measures are based on a thorough understanding of how objects and specimens were originally constructed and construed, their previous conservation treatments, and the understanding and ability of the conservator to apply an appropriate technique.

**Restoration** involves the rebuilding of a building, area, object, specimen, image or recording, or a part of these, after the original has been damaged or destroyed, so as to restore it to its original condition. The necessary restoration measures are based on a thorough understanding of how objects and specimens etc were originally constructed and construed, their previous treatments and an understanding of the damage that has occurred.

#### 3.1 Remedial Conservation Treatment

- RPM will conserve its collections and cultural property to the highest possible standard in accordance with best practice guidelines and the RPM Conservation Practice Procedures.
- RPM will work with the awareness that some conservation treatments could prejudice the future research value of an object. The emphasis of all remedial work will be on conservation. Restoration will only be undertaken when it is necessary for the aesthetic, historical or educational interpretation of the object.
- RPM observes that objects, and fabric of RPM buildings, will be selected for conservation treatment in consultation with all relevant parties: curator, project team, owner museum, exhibition team. Clear objectives for the remedial conservation of an object will be discussed and agreed between the Curator and the Conservator, and the criteria will include current object condition as well as the object's use requirements. In some circumstances it is advisable to have the objective in writing.
- RPM recognises that some objects may require further and more in-depth consideration before conservation work is undertaken on them, such as human remains or other objects which are significant for their spiritual

connotations. Please see RPM Care and Treatment of Human Remains Policy for further details.

- RPM agrees that it is the responsibility of the Conservator to determine the appropriate treatment to achieve the agreed objective, after the decision to conserve the object has been taken by the relevant Curator in consultation with the specialist conservator.
- RPM will employ in-house conservators or specialists to care and preserve the collections and cultural property where appropriate. Where there is no in-house expertise, outside agencies will be employed. Where remedial work is contracted out, conservators accredited by the Institute of Conservation (ICON), or those with demonstrable expertise in their specialist field, will normally be selected.
- Only trained conservators will carry out remedial treatment. Treatments may be carried out in RPM premises by less experienced conservators under the supervision of the RPM in-house conservation team.
- RPM endorses the use of volunteers, and as such they may be employed in basic object cleaning, as directed by and always under the supervision of a suitably qualified curator or member of the conservation team. Anything more than this should not be attempted unless specifically authorised and supervised by a Conservator.
- RPM aims to achieve the highest standards of conservation through the use of professionally experienced and qualified staff and state-of-the-art practice and materials.
- Work undertaken by RPM Conservators will conform to the standards set down in RPM Conservation Practice Procedures, best practice standards as outlined in the UKIC: Code of Ethics and Rules of Practice and ICON Professional Guidelines and Code of Ethics.

### **3.2 Restoration**

- RPM will restore and reconstruct objects or cultural property where appropriate in order to promote or enhance their aesthetic, historical or educational value in accordance with RPM Conservation Practice Procedures and the best practice standards (as detailed above).
- All reconstruction undertaken by RPM will be based upon historical, literary, graphic, pictorial, archaeological, cultural, and scientific evidence, and on the basis of an assessment of significance.
- RPM is aware that restoration of its historic buildings and their interiors may require the authorization or involvement of other bodies, such as; English Heritage and other interested stakeholders such as the Royal Collection as applicable.

- Clear objectives for reconstruction will be discussed between the Curator and the Conservator before restoration is undertaken. It is advisable to have this in writing, and the work must be documented on MimsyXG to SPECTRUM standards.

#### **4. Bibliography**

The documents and publications referred to within this policy are:

- Benchmarks in Collections Care for Museums, Archives and Libraries 2.0, Collections Trust, 2017
- SPECTRUM 5.0 The UK Museum Collections Management Standard, London: Collections Trust, 2017
- Museums Association, Disposal Toolkit: Guidelines for Museums, London: Museums Association, 2008, revised 2014
- Museums Association, Code of Ethics, London: Museums Association, 2008, revised 2015
- Museums and Galleries Commission Care of Collections Guidelines No 4, London: Museum and Galleries Commission, 1994
- PAS 197:2009 Code of practice for cultural collections management, London: British Standards Institution, 2009
- PAS 198:2012 Specification for managing environmental conditions for cultural collections, London: British Standards Institution, 2012
- PD5454:2012 Guide for the storage and exhibition of archival materials, London: British Standards Institution, 2012
- [www.reorg.info](http://www.reorg.info) UNESCO and ICCROM Storage Evaluation Tool, Version 1.0, 2011
- [www.artscouncil.org.uk](http://www.artscouncil.org.uk) Department for Culture, Media & Sport, Government Indemnity Scheme: Guidelines for Non-national institutions, London: Arts Council England, 2012
- [www.collectionslink.org.uk](http://www.collectionslink.org.uk) Museums and Galleries Commission Security Guidance Notes
- [www.collectionslink.org.uk](http://www.collectionslink.org.uk) Museums and Galleries Commission: Standards for Touring Exhibitions, 1995
- [www.collectionslink.org.uk](http://www.collectionslink.org.uk) Museums and Galleries Commission: Standards in Museum Care for Large and Working Objects, London: Museum and Galleries Commission, 1994
- [www.icon.org.uk](http://www.icon.org.uk) Code of Ethics and Rules of Practice, United Kingdom Institute of Conservation of Historic and Artistic Works (UKIC), 1996
- [www.icon.org.uk](http://www.icon.org.uk) ICON Professional Guidelines and Code of Ethics, Brussels, 2002
- [www.legislation.gov.uk](http://www.legislation.gov.uk) Health and Safety at Work etc Act, 1974, London: Health and Safety Executive, 1974

Internal documents:

- RPM Collections Care and Conservation Plan, 2017
- RPM Collections Development Policy, 2018
- RPM Collections Documentation and Information Policy, 2018
- RPM Collections Management & Documentation Procedure Manual, 2018
- RPM Disaster & Business Continuity Plan, 2017
- RPM Business Plan, 2018
- RPM Sustainability Action Plan, 2013
- RPM Security Policy
- The Keep Collections Statement, 2013



### **3c Royal Pavilion & Museums Collections Documentation and Information Policy**

**Date at which this policy is due for review: January 2021**

## **1. STATEMENT OF PURPOSE**

Royal Pavilion & Museum's (RPM) vision is to provide museums that play a vital role in making Brighton & Hove a fantastic place to live work and visit, and inspire people to build a more sustainable and socially just world. Our mission is to preserve the past to inform the present. Using the outstanding collections, buildings and knowledge in our care, we will challenge and inspire our visitors to positively shape their future. Our sustainable museums will support the economy of Brighton & Hove, promote personal well-being, and celebrate diversity.

We aspire to transform into a resilient organisation with a reputation for vibrancy and relevance, renowned for its digital innovation and inspiring a sense of shared ownership, and where our work is driven by creative collaborations with local communities and partner organisations.

RPM collects, rationalises and disposes of collections within the remit and guidelines set out in this Collections Development policy document, in line with our current Business Plan. The aims for our 2018-22 Business Plan are:

- Be more strategic in caring for and developing our natural, scientific and cultural resources for present and future generations.
- Develop a distinctive offer at each of our five sites and online to support learning, creativity and well-being
- Actively engage more people in understanding, developing and / or interpreting our shared collections, including a focus on children and young people
- Build a co-operative, sustainable and resilient organisation that supports the wider cultural sector
- Ensure the organisation and its work reflects the diverse culture of contemporary society

All five aims are supported by the RPM Collections Development Policy, especially in the areas of the following key activities:

- Public programming
- Learning and community engagement
- Digital engagement
- New galleries
- City-wide initiatives
- Accreditation standards
- Building collections knowledge
- Developing the collections to maintain the contemporary record
- Sustainable use of all resources – sites, collections and assets
- Maximising income generation and fundraising
- Improving RPM's profile and brand
- Digital potential for building sustainable and resilient organisation
- Developing and sustaining partnerships
- Developing processes to support the organisation deliver efficiently and effectively
- Shared ownership
- Supporting museum development through sharing our expertise
- Developing and championing diversity

RPM is accountable for all objects and buildings in its care, and the history of each object and a record of any activities associated with it must be kept. This policy is designed to ensure that RPM fulfils its responsibilities in relation to security, management and access to the collections.

The policy aims to:

- establish that professional standards in collections management are maintained as per PAS 197.2009 Code of Practice in Collections Management
- establish that professional standards in documentation procedures and collection information as described in current SPECTRUM standards need to be maintained
- improve accountability for collections
- extend access to collections information
- strengthen the security of the collections

Throughout this document where the term 'objects in the care of RPM' is used, this includes the permanent collection, objects on loan, unaccessioned or previously undocumented items, temporarily deposited objects, and support collections.

This policy is supported by procedures detailed in the RPM Collections Management & Documentation Procedure Manual, and a plan of action illustrated in the RPM Collections Documentation Plan.

## **2.POLICY**

### **2.1 Acquisition**

This is the documenting and managing the addition of objects and their associated information to the RPM collection.

- RPM will collect objects in line with the current RPM Collections Development Policy.
- The decision to acquire will have been made by Curatorial presentation of the reasons to acquire and the risks associated with the acquisition at the Collections Development Panel meeting.
- RPM Curators will obtain RPM the legal and unambiguous title of the object by asking the owner to complete and object entry and/or transfer of title form.
- RPM Curators will ask any donor or depositor to assign all rights associated with the object to RPM.
- RPM Curators will aim to acquire all relevant, appropriate information and supporting contextual documents alongside the acquisition of the object, see current SPECTRUM standards for further details of types of supporting documents that should be acquired and retained.
- RPM Curators commit to abide by acquisition procedures detailed as part of current RPM Collections Management & Documentation Procedure Manual, these include assigning a unique number to the object, recording the acquisition in the RPM Accession Register, and documenting the acquisition of the object on MimsyXG.
- RPM will send acknowledgement to the Donor as per current SPECTRUM standards.

## 2.2 Object Entry

This is the management and documentation of the receipt of objects and associated information which are not currently part of the RPM collection.

- RPM commits to maintaining current SPECTRUM standards in relation to object entry procedures.
- RPM Curators will establish the terms under which the object are received, and as appropriate enter the collection.
- RPM will use an Object Entry Form to initially record receipt of the object and provide a receipt for the owner or depositor. This form will indicate:
  - the reason for receipt for the object
  - determine the finite end of the review of a deposit, as appropriate.
  - record details of the owner/depositor.
  - transfer the title of the object to RPM, if required at the time. (if not transferred at entry, and the object is retained, then a Transfer of Title form will be used at the point of acquisition).
  - Capture key information about the object
  - Any insurance details, value and additional information.
  - Must be completed with owner/depositor's signature and that of the RPM relevant Curator.
- RPM Curators will use temporary labelling procedures to uniquely identify the newly received object or group of objects and enter the object details onto MimsyXG, under a unique entry number and include the objects current location.

## 2.3 Loans In and Out

Managing and documenting the borrowing of objects for which RPM is responsible for a specific period of time and for a specified purpose; usually exhibition, but also research, conservation, education etc.

- RPM commits to maintaining current SPECTRUM standards in relation to loans in and out procedures.
- All Loans requests are assessed according to the current RPM Loans Policy. The RPM Loans Policy, a standard set of conditions and procedures can be found in the current RPM Collections Management & Documentation Procedure Manual.
- RPM will enable the same level of care of the borrowed object as if it were part of the RPM permanent collection.
- RPM will complete written agreements between borrow and lender before the loan commences, ensuring that the loan is for a fixed period of less than five years, and will regularly review its 'long term' loans in and out.
- RPM will ensure and stipulate that the terms and conditions of the loan as agreed are adhered to.
- RPM will ensure that a written record is retained and that up to date information about the location, security and physical wellbeing; environment and condition of the loan objects are maintained on MimsyXg.
- RPM will provide insurance or indemnity for the loan period
- RPM will record sufficient information about the objects so that each object that RPM is legally responsible for can be accounted for, identified, and up-to-date information can be provided as required.

## 2.4 Inventory Control

This is the maintenance of up-to-date information accounting for and locating all objects for which RPM has a legal responsibility. This may include objects on loan, unaccessioned or previously undocumented items, temporarily deposited objects and support collections.

- RPM commits to maintaining current SPECTRUM standards in relation to inventory control.
- RPM will record sufficient information about the objects so that each object that RPM is legally responsible for can be accounted for, identified, and up-to-date information can be provided as required.
- A regular audit of inventory information will be undertaken quarterly, and results reviewed and systems and procedures updated accordingly.
- RPM is committed to following procedures that maintain up-to-date information locating the current whereabouts of all objects for which RPM has a legal responsibility.
- RPM aims to provide a reference to ownership of each object.
- RPM recognises that it is desirable to have a photographic image of each object, preferably attached to a collections management system (MimsyXG) object record where feasible.
- Every item in a museum collection must carry its unique identity number at all times, so that it can be linked to the information a museum holds about the object. Therefore the labelling, numbering and marking of RPM objects should occur within a maximum of one month from acquisition.
- All labelling or marking of RPM objects with a unique number carried out by the Collections or Conservation Team will be done using a reversible method and adhere to the guidance on methods and position of object labelling as outlined in RPM Object Marking and Labelling Procedures. The proposed temporary object labelling methods for different objects and materials have been agreed by conservation and curatorial staff.
- Prior to the use of any identified methods for the labelling of RPM objects, the health and safety risks associated with the method will be assessed to ensure safe working practices are used at all times

## 2.4 Location and Movement Control

This is the documentation and management of information concerning the current and past locations of all objects or groups of objects in the organisation's care to ensure the organisation can locate any object at any time. A location is a specific place where an object or group of objects is stored or displayed.

- RPM commits to current SPECTRUM standard procedures for managing and documenting location and movement control.
- RPM will enable access to location information by, at the very least, object number and by location name.
- The location and movement of objects is governed by this policy when such activities take place within the physical and administrative boundaries of the service (e.g. locations where movement can take place before the need to use an Object Exit Form). These boundaries include:
  - Brighton Museum & Art Gallery
  - Hove Museum & Art Gallery
  - Preston Manor
  - The Royal Pavilion

- The Booth Museum of Natural History
  - The Keep
  - Offsite store
  - The Old Courthouse
  - Palace Place conservation studios
  - William IV Gatehouse
  - Northgate House
  - Other council-run buildings across the city of Brighton & Hove
- RPM will record the location where an object is normally displayed or stored.
  - RPM will record the location of an object when it is not at its normal location.
  - RPM will be able to provide an up-to-date record of the relocation of an object within the physical or administrative boundaries of the organisation.
  - RPM will maintain up-to-date records of any movement of an object across the physical or administrative boundaries of the organisation.
  - RPM will record the person responsible for moving an object.
  - RPM will maintain a list of people permitted to view and amend location and movement records. This list is maintained through access permissions set in MimsyXG.
  - RPM will provide a record or a statement of the persons responsible for authorising object movement (see RPM location and movement control procedures).
  - It is the responsibility of the Keeper, Curator or manager of the collection (or the specific object) to ensure that the RPM location and movement control procedures are adhered to.
  - RPM commits to maintaining an up-to-date record of all object locations in the collections management system, MimsyXG. Exceptions to this are:
    - The Booth Museum, who use the SPECOL database for recording all locations except those for Vertebrate material.
    - The Keep which use a separate inventory management system (IMS) to maintain detailed movement control for objects held within The Keep. MimsyXG will maintain a high-level record of the location of these archives, where the object catalogue entry will be associated with the location of The Keep, and a container number, but not with each user and each movement within the building.
  - RPM will provide a history of an object's previous locations, while in the organisation's care.
  - For RPM objects on loan to other organisations, the loans out policy and procedure will be adhered to. This includes recording the name of the organisation the object is on loan to and, if possible, the building in which it will be used for display, research etc.

## 2.5 Cataloguing

This is the compilation and maintenance of key information, formally identifying and describing objects. It may include information concerning the provenance of objects and also collections management documentation e.g. details of acquisition, conservation, exhibition and loan history, and location history. It need not bring together in one location everything known about an object, but should provide cross-references to any other relevant information source known to RPM.

- RPM will provide a level of description sufficient to identify an object or group of objects and its differences from other similar objects.
- RPM will provide an historical archive relating to an object or cross-references to sources where information can be found.
- RPM collections management system, MimsyXG, is designed to allow convenient access using indexes or free-text retrieval, and this will be maximised by continuous review and revision of data.
- The aim is to catalogue to the most in-depth level, and within reason produce full catalogue records for all objects held by RPM. The RPM Collections Documentation Plan, written in line with the RPM Business Plan, outlines the timescale and targets to achieve this.

## **2.6 Object exit**

This is the management and documentation of objects leaving RPM's premises.

- RPM will ensure that the legal requirements, and RPM policies and procedures, are fulfilled when objects leave its premises.
- RPM is committed to be able to account for the exit of all objects from its premises, including those which have been deposited as offers or for identification or loaned.
- RPM keepers and curators will maintain location information for accessioned objects leaving the organisation's premises.
- RPM keepers and curators will ensure that all objects leave with appropriate authorisation.

RPM keepers and curators will ensure that a signature of acceptance from the recipient is always obtained when transferring custody of an object between parties. Where the first recipient is a courier it may also be necessary to get a signature from the person or organisation to which it is delivered.

## **2.7 Security and Preservation of RPM Catalogues and Documentation**

The security and preservation of the documentation, knowledge and information relevant to, produced by and held by RPM is paramount to the organisation's business continuity.

Documentation must be physically secure. RPM commits to putting measures in place to ensure the physical security and long-term preservation of all documentation records, whether paper or computerised.

- Digital records will be backed up and stored securely.
- Access to hard copy records will be via a designated member of staff, usually the relevant curator.
- Duplicate hard copy records will be maintained at a separate site from the originals.
- At RPM we consider the potential obsolescence of electronic systems. As part of RPM Business Continuity Planning (BCP), a plan to restore and renew these systems is monitored and implemented in order to ensure long-term accessibility of the information held.
- With digital records held in MimsyXG there is the ability to set security and manage authorisation permissions to read, edit and delete records. These security settings are used to prevent unauthorised persons from changing records.

## **2.8 Insurance and indemnity management**

This means the documenting and managing the insurance needs of objects both in RPM's permanent collection and those for which it is temporarily responsible.

- RPM ensures that all the objects in an organisation's care are appropriately insured within the terms of legal and statutory requirements, and the terms of the organisation's policy.
- RPM insurance is managed corporately by Brighton & Hove City Council (BHCC), who arrange for insurance policies to be drawn up under long-term agreements on the basis of three to five years.
- BHCC and RPM commit to reviewing insurance policies annually.
- BHCC officers working with RPM will ensure that current insurance liabilities are up-to-date
- RPM will ensure that there is indemnification in place for all eligible objects in the organisation's custody and while in transit.
- BHCC and RPM will make sure that the appropriate minimum liability sum or excess is available to be paid if required.

## **2.9 Valuation control**

This means the management of information relating to the financial valuations placed on individual objects, or groups of objects, normally for insurance and indemnity purposes.

- RPM ensures that valuation information is available as required to support the organisation's needs.
- RPM policies and procedures used for valuation are approved and applied consistently across collections and museum sites.
- RPM ensures that valuation information is treated as confidential, valuation information is maintained in object history files and on MimsyXG and is only accessible to curatorial staff and other RPM or BHCC officers on request and as required.

## **2.10 Audit**

This is the examination of objects or object information, in order to verify their location, authenticity, accuracy and relationships.

- RPM maintains, manages and documents a regular review of the objects in its collections and the information relating to them.
- RPM uses an audit process to ensure that all relevant object-related documentation is updated as required in a timely manner, and ensures that the audit of objects is based on the physical presence of the objects.
- RPM ensures that remedial action is taken as required, following discovery of missing objects, wrongly or inadequately documented objects, or undocumented items.

## **2.11 Rights management**

The management and documentation of the rights associated with the objects and information for which the organisation is responsible, in order to benefit RPM and to respect the rights of others.

- RPM keeps up-to-date with and takes account of relevant rights legislation, and monitors changes.
- RPM ensures that the rights of others are respected by RPM and BHCC, and any other third-party users.
- RPM works to ensure that the rights of RPM and BHCC are respected by others.



- RPM curators ensure research into all associated rights is carried out as soon as new material is acquired, and this is fully documented within the object history file and MimsyXG.
- When acquiring new acquisitions RPM will always ask for copyright over the work or object so that RPM can use it to its full public benefit. (See current RPM Rights Policy).
- When RPM commissions works, all intellectual property rights (IPR) are assigned to the organisation.
- When RPM creates new material it records the associated rights in MimsyXG, or in RPM's digital asset management system – Asset Bank – as appropriate.
- RPM records and monitors changes, and maintains full details of all associated rights in the relevant database.
- RPM ensures that any contract negotiations for the use of IPR assets are carried out, taking into account the issues of legal entity, legal restrictions, funders' requirements and the tax situation.

RPM is committed to an awareness of material sensitive to publication right (and other rights), and that any publication rights remain the property of RPM and are not accidentally lost.

### **2.12 Retrospective documentation**

This is the improvement of the standard of information about objects and collections to meet current SPECTRUM minimum standards by the documentation of new information for existing objects and collections.

- RPM defines that the primary purpose of RPM's documentation system, MimsyXG, is to establish accountability, increase access and record actions regarding RPM collections.
- RPM has a documentation backlog and RPM curators commit to working towards reducing this backlog through regular projects and programmes of documentation.
- Every item in RPM's collections must carry its unique identity number at all times, so that it can be linked to the information the museum holds about the object. RPM curators will endeavour to create one database record in MimsyXG for each object, or group of objects, which includes at least its unique number, simple name, description and location.
- RPM will review progress on reducing the backlog on a regular basis.
- RPM will work towards an overall improvement in the quality of information held about objects and collections.
- All RPM staff are committed to improving the information, and accessibility to that information, for the benefit of RPM and the public.

### **2.13 Outsourced management of collections**

This relates to BHCC collections that are outsourced to a third-party organisation for management. This could refer to collections that are:

- being managed day-to-day by another organisation, e.g. RPM collections at The Keep (a BHCC/East Sussex County Council/University of Sussex partnership), which East Sussex County Council runs day-to-day;
- or objects that are on loan to other organisations for the purpose of display or research.

- For RPM objects on loan to other organisations for an anticipated period of less than five years, see current RPM Loans Policy and procedures found in the current RPM Collections Management & Documentation Procedure Manual.

### **3.BIBLIOGRAPHY**

The documents and publications referred to within this policy are:

- Collections Trust, PAS 197:2009 Code of practice for cultural collections management, 2009
- Collections Trust, SPECTRUM 5.0 (2017)

Internal documents:

- RPM Collections Care and Conservation Policy, 2018
- RPM Collections Care and Conservation Plan, 2018
- RPM Collections Development Policy, 2018
- RPM Collections Documentation Backlog Plan, 2013
- RPM Collections Management & Documentation Procedure Manual, 2018
- RPM Disaster & Business Continuity Plan, 2017
- RPM Business Plan, 2018
- BHCC Sustainability Policy, 2013, & RPM Sustainability Action Plan, 2013
- Keep Collections Statement, 2013

### **3d Royal Pavilion & Museums Loans Policy**

**To be developed for approval by Tourism, Development & Culture Committee in March 2018**

### **3e Royal Pavilion & Museums Documentation Procedure Manual**

**Date at which this policy is due for review: January 2021**

## **Introduction**

### **What is this document?**

This Documentation Procedure Manual is a requirement of the Accreditation Standard and the procedures detailed within it are written in accordance with SPECTRUM standards.

The manual is to give guidance to those responsible for the management of objects in the permanent collections to ensure the safe, secure and effective management of the objects in those collections. It also supports any training that may be given to volunteers, interns, placements who are with the service and working with object management. It also serves as a document outlining the variety of tasks carried out by teams within the service, especially the collections team but also the learning and programming teams and it is available to any member of staff within the service.

### **Where is the manual kept?**

A hardcopy will be held at each site, and a digital copy can be accessed by all staff via a computer, read only copy which is saved on the Royal Pavilion & Museums shared X: Drive

### **How was the manual produced?**

This 2018 version replaces the RPM Documentation Procedure Manual originally written 2005, revised 2009 and again in 2013, with one amend in 2017. It has been compiled by a team of Curators and Keepers, the Senior Keeper and the Head of Collections, Interpretation & Learning.

### **Are there meetings to communicate and support the use and development of the manual?**

Collections Meetings are held monthly to discuss any issues, developments across all areas of collections management, including additions or changes to this document. These are chaired by the Senior and attendees are primarily Keepers, Curators and Assistant Curators and some Conservators. Other colleagues are invited as required.

Other meetings which support procedures are held monthly or bi-monthly, these include:

- RPM Collections Development Panel o Acquisitions & Disposals are discussed and
- RPM Loans Panel o Loans In and Loans Out are discussed and agreed monthly
- The Keep Management Team Meeting o Collections management and operational issues relating to The Keep are discussed and agreed by partners

A list of the attendees, the agendas and minutes for these meetings can be found on the X: Drive.

## **Object Entry Procedure**

### **Documentation/Equipment Needed:**

- RPM Collections Documentation & Information Policy 2018
- RPM Collections Development Policy 2018
- Object Entry Form
- Oral History Consent Form/ Booth Museum Enquiry Form/ Booth Loan Form (as appropriate)
- Condition Report Form (3d or 2d as appropriate)

- Daybook (as appropriate)
- MimsyXG
- Label

## Basic Steps

1. Read and understand the relevant section of RPM Collections Documentation & Information Policy 2018, and RPM Collections Development Policy (if appropriate) and the associated Terms and Conditions.
2. Be aware of the legal environment in which deposits may be accepted
3. Be aware of the SPECTRUM procedure which will inform you of the types of information to record about a deposit
4. Fill in the Entry form (ensure that the terms and conditions are understood by any parties involved in filling out the form)

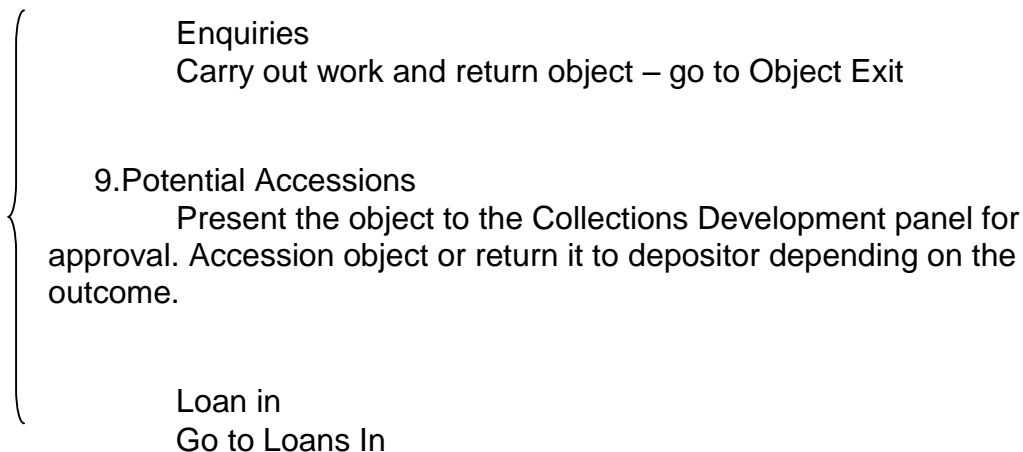
Oral Histories will need Consent Form and a Data Form. Oral History deposits are recorded on the Oral History chart (a list of recordings to be accessioned). Object name/interviewee, date of acquisition/recording, physical description (minidisk etc).

The Booth Museum has separate forms for Enquiries and Loans In.

5. Fill in a separate 3d or 2d condition report if the deposit is an enquiry or loan in.
6. Assign an Entry number (or Accession number if the deposit was expected), Enquiry or Loan In number to the deposit. Create an entry record and catalogue record in MimsyXG. The MimsyXG entry record should be created in Acquisition, Entry or Loans Activities, as appropriate to the activity.
7. Additionally certain collections record object entry in a daybook;
  - World Art – Daybook for enquiries, expected and unexpected deposits for consideration for the permanent collection and loans in; Loans In also have a separate file.
  - Costume & Textiles – Daybook for enquiries, expected and unexpected deposits and loans in. Loans In also have a separate file.
  - Toys, Film & Media - Daybook for enquiries, expected and unexpected deposits.
  - Decorative Art - Daybook for expected deposits or un-expected deposits considered suitable for the permanent collection. Loans In are kept in a separate file.
  - Natural Sciences – Daybook for expected and unexpected deposits, Enquiry and Loans In books are separate.
  - Fine Art - Fine Art Stock Book for expected deposits or un-expected deposits considered suitable for the permanent collection. Loans In are kept in a separate file.
8. Label the object with the entry number or secure the blue copy of the Object Entry Form to the object. (If it's an object for the permanent collection and has

been agreed at Collections Development Panel, follow the Object Marking and Labelling procedure.)

9. Record the Current Location, (and Store Location if appropriate) of the object on MimsyXG. The recommendation is to do this if the object is to be left unattended overnight. There are three secure cabinets for deposits arriving in the Local History & Archaeology department. Dead vertebrates (such as fur and wool) should be quarantined, or at a minimum securely wrapped in polyethylene, prior to entering galleries or storage areas.



## **Acquisition Procedure**

### **Documentation/Equipment Needed:**

- RPM Collections Documentation & Information Policy 2018
- RPM Collections Development Policy 2018
- Object Entry/Transfer of Title Form
- MimsyXG

### **Basic Steps**

1. Read and understand the Acquisition section of the RPM Collections Documentation & Information Policy 2018.
2. Read and understand the RPM Collections Development Policy and the associated Terms and Conditions.
3. Be aware of the legal environment in which objects can be acquired.
4. Be aware of the SPECTRUM procedure which will inform you of the types of information to record about an acquisition.
5. Ensure that an Object Entry Form exists for all objects entering the permanent collections, with a signature as proof of transfer of title.
6. Create a catalogue record and acquisition activity record on MimsyXG for all objects accepted into the permanent collections in accordance with the RPM Collections Development Policy. Records must be created to at least 'Core'

standard (see field level help in the Object Authority Record Level field in MimsyXG) for all objects entering the permanent collections from June 2005.

7. Mark the object with a unique ID number (see field level help in the Object Authority ID/Acc No field in MimsyXG). The object should be marked in accordance with the Object Marking and Labelling Procedure.
8. If the donor wasn't present at time of donation, a copy of the Object Entry/Transfer of Title form should be sent to the donor with a letter thanking them for their donation.

### **Object Marking & Labelling Procedure**

#### **Documentation/Equipment Needed:**

- RPM Collections Documentation & Information Policy 2018
- MimsyXG
- Marking equipment e.g. 2b pencil, pigma pen, white pen
- Labelling equipment e.g. acid free tags, paper, varnish, cotton tape

#### **Basic steps**

1. Read and understand the relevant section on Object Marking and Labelling in the RPM Collections Documentation & Information Policy 2018 (supplement)
2. Be aware of the legal environment surrounding Object Marking & Labelling.
3. All labelling or marking of objects must be carried out using a reversible or temporary method. (see Object Marking & Labelling Guidance for further information)
4. All objects should be labelled with entry number/ accession number/ loan number at time of entry using a temporary method; e.g. acid free tag with pencil written number tied to or kept with the object
5. All items accepted into the permanent collection should be labelled with a more permanent reversible number when entering the collection.
6. Prior to the use of any identified methods for the temporary labelling of museum objects, the health and safety risks associated with the method will be assessed to ensure safe working practices are used at all times
7. During an audit or inventory, objects identified as having been accessioned but not labelled or marked, will be labelled or marked using a temporary method outlined in Object Marking & Labelling Guidance.
8. Each object should be examined carefully prior to labelling, and particular regard given to both the characteristics and the physical properties of the object before labelling. See Object Marking & Labelling Guidance document for further information on where and how to attach labels or mark an object.
9. Any changes to the method of object labelling will need to be agreed at Collections Meeting after discussion with a Conservator



## **Cataloguing Procedure**

### **Documentation/Equipment Needed:**

- RPM Collections Documentation & Information Policy 2018
- MimsyXG
- Object Data Sheet

### **Basic steps**

1. Read and understand the relevant Cataloguing section of the RPM Collections Documentation & Information Policy 2018.
2. Be aware of the legal environment surrounding Cataloguing.
3. Be aware of the SPECTRUM procedure for Cataloguing.
4. When an object or group of objects is accessioned into the permanent collections create a catalogue record in MimsyXG within one month of the object or group of objects being presented at the Collections Development Panel meeting.
5. If MimsyXG is not available for any reason at the time of cataloguing, make sure all relevant information is recorded on an object data sheet and entered into MimsyXG when access to the system is next available.

## **Object Exit Procedure**

### **Documentation/Equipment needed:**

- RPM Collections Documentation & Information Policy 2018
- Object Exit form MimsyXG

### **Basic steps**

1. Read and understand the relevant Object Exit section of the RPM Collections Documentation & Information Policy 2018.
2. Be aware of the legal environment surrounding Object Exit.
3. Be aware of the SPECTRUM procedure for Object Exit.
4. Ensure that the exit of any object from the boundaries of the service has been approved by the Collections Development Panel, unless the object has been accepted in for Enquiry or Identification purposes.
5. Make sure that the proper arrangements have been made for the transportation of the object. (see Object Exit Guidance)
6. Fill out the Object Exit Form, ensuring that this includes a signature from the remover. If this is a courier a signature will also be required from the person or organisation to which it is being delivered.

7. Copies of the Exit Form are stored by the Keeper or Curator with overall responsibility for the collection to which the object belongs.
8. The new location of the object must be updated in MimsyXG by creating a new location activity record.

### **Location and Movement Control Procedure**

#### **Documentation/Equipment Needed:**

- RPM Collections Documentation & Information Policy 2018
- Movement Slips mimsyxg

#### **Basic steps**

1. Read and understand the Location and Movement Control section in RPM Collections Documentation & Information Policy 2018.
2. Be aware of the legal environment surrounding Location and Movement Control
3. Be aware of the SPECTRUM procedure for Location and Movement Control
4. When an object enters, exits, and is moved update the MimsyXG database with its current location.
5. An object in the permanent collection should preferably have its storage location recorded on MimsyXG, to ensure effective storage when not on display.

A Location/Movement Slip should be filled. Attach the blue copy to the object (this may not be appropriate if an object is going on display), leave the yellow copy in the space, place the white copy in a folder with the member of staff responsible for the object and use it to update the MimsyXG database.

### **Deaccession & Disposal Procedure**

#### **Documentation/Equipment Needed:**

- RPM Collections Documentation & Information Policy 2018
- RPM Collections Development Policy 2018
- Object Exit/Transfer of Title Form
- mimsyxg

#### **Basic Steps**

1. Read and understand the Deaccession & Disposal section of the RPM Collections Documentation & Information Policy 2018. (supplement)
2. Read and understand the RPM Collections Development Policy 2018 and the associated Terms and Conditions
3. Be aware of the legal environment in which objects can be disposed.

4. Be aware of the SPECTRUM procedure which will inform you of the types of information to record about a disposal.
5. Ensure that an Object Exit Form exists for all objects exiting the permanent collections, with a signature as proof of transfer of title, as appropriate.
6. Create a disposal activity record in MimsyXG for all objects to be disposed of in accordance with the RPM Collections Development Policy. Catalogue records for objects to be disposed of must be to at least 'Core' standard (see field level help in the Object Authority Record Level field in MimsyXG) for all objects exiting the permanent collections from August 2013. See Deaccession & Disposal Guidance for further information on documenting disposal.
7. If the final recipient isn't present at time of Object Exit, a copy of the Object Exit/Transfer of Title form should be sent to the recipient.

### **Audit Procedure**

#### **Documentation/Equipment Needed:**

- RPM Collections Documentation & Information Policy 2018
- Audit Guidance documents
- Object handlist (Crystal Report/Excel sheet)
- MimsyXG

#### **Basic Steps**

1. Read and understand the relevant Audit section of the RPM Collections Documentation & Information Policy 2018.
2. Be aware of the legal environment in which objects can be audited.
3. Be aware of the SPECTRUM procedure which will inform you of the types of information to record about an audit.
4. Read the Audit Guidance before carrying out an audit exercise.
5. As a result of the inventory project 2006-2009 RPM currently regards up to date locations as the main driver for carrying out audit exercises. As such it is sufficient to audit a sample selection of objects from one or more locations for an audit exercise. An information audit may be required for various reasons (see Audit Guidance for further details).
6. An audit sample can include both objects on display and in store. You should pick individual objects to audit where possible.
7. The audit exercise can be carried out in one of two ways. Either a handlist, created in mimsy and exported to excel or crystal to be printed out, can be used to carry out physical location checks on objects in store or on display. Or a list of objects in store or on display can be made and then cross referenced back to the information in the database.

8. To ensure object safety, staff safety and consistency of reporting across collections, a member of Curatorial staff, (or their delegated representative\*) should be present during an audit where the following are checked;
  - Condition check of object
  - Updating labelling and marking of objects (see the Marking and Labelling Guidance)
  - Taking a digital image where one does not already exist (if legally possible) and follow the Reproduction Guidance for cataloguing and storing this image.
9. The audit can also be used as an opportunity to reassess the environmental, storage and security needs of objects provided that there is a suitably qualified or experienced person present during the audit.
10. Be aware when conducting an audit that resolution of some problems may require a partial or full collections or information inventory.
11. Be aware that before starting an audit it may be necessary to lock MimsyXG records for the objects being audited until the audit is complete.
12. During the audit:
  - Clarify that the object is in its correct location
  - Record the information collected during the audit into MimsyXG
  - Update or amend information on MimsyXG as required with any discrepancies. Discrepancies advice can be found in Audit Guidance.
13. Post-audit action:
  - Record the information collected during the audit into the Audit activity module on MimsyXG
  - Update or amend information with any discrepancies on relevant modules in MimsyXG as required. Discrepancies advice can be found in Audit Guidance.
  - Missing objects require immediate reporting to the Keeper/ Curator (if not present), and then escalated to Head of Collections , Interpretation and Learning; Security Officer; Duty Managers; Conservators and Historic Building Officers, as appropriate.
14. If the audit highlights a flaw in documentation procedures (e.g. inaccurate movement control resulting in objects being mislaid), the relevant procedure will be reviewed, revised or reinforced as required. It is then advisable to reaudit affected objects to ensure that the procedure is working effectively.

\*Delegated representative will be a Volunteer, Subject specialist, or member of Conservation or Historic Buildings Team, who is trained in Object Handling and has been given verbal or written instructions from the Keeper or Curator of the collection.

## **Retrospective Documentation Procedure**

### **Documentation/Equipment Needed:**

- RPM Collections Documentation & Information Policy 2018
- RPM Collections Documentation Plan 2013
- RPM Business Plan 2018
- MimsyXG
- Microsoft Excel
- Object Catalogue Sheet/Handlist
- Accession Registers/ Daybooks/ Index Cards/ Object History Files/ Catalogues (as appropriate)

### **Basic steps**

1. Read and understand the relevant Retrospective Documentation section of the RPM Collections Documentation & Information Policy 2018.
2. Be aware of the legal environment surrounding Cataloguing and Retrospective Documentation.
3. Be aware of the SPECTRUM procedure for Retrospective Documentation
4. Read and be aware of RPM Business Plan and the RPM Collections Documentation Plan 2013.
5. RPM's collections management and documentation system is MimsyXG, and should be the primary tool used to establish accountability and access to objects and collections. All retrospective documentation should be entered directly into MimsyXG where possible.
6. If there is no access to a computer, the network and therefore MimsyXG use an excel spreadsheet template. The spreadsheet should be upload or entered onto MimsyXG after its completion.
7. If there is no access to a computer or laptop, then use hardcopy cataloguing sheets, and enter the data directly onto MimsyXG after completion of data gathering.
8. To enhance object catalogue records, attribute acquisition information and to reconcile inventoried temporary numbered objects research will be required. This may involve consulting a Subject Specialist, previous Curators, and researching the object in hardcopy documentation such as Accession Registers, Daybooks, Index Cards, Object History Files and published Catalogues (as appropriate).
9. Review progress on the overall improvement in the quality of information on a regular basis.

### **3f Royal Pavilion & Museums Rights Policy**

**To be developed for approval by Tourism, Development & Culture Committee in March 2018**

### **3g Royal Pavilion & Museums Digital Preservation Policy**

**To be developed for approval by Tourism, Development & Culture Committee in March 2018**

### **3h Royal Pavilion & Museums Human Remains Policy**

**Date at which this policy is due for review: January 2021**



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## 1. Introduction

- 1.1 This Policy covers collections held by Royal Pavilion & Museums (referred to as “the Service”).
- 1.2 Human remains have a unique status within museum collections. They have the potential to make a contribution to the public good, through research, teaching and, in appropriate cases, display. In many instances they also have a personal, cultural, symbolic, spiritual or religious significance to individuals and/or groups. This places a special responsibility on those museums that hold them.
- 1.3 The Service acknowledges the Department of Culture, Media & Sport’s (DCMS) Guidance for the Care of Human Remains in Museums (2005) (referred to as “the DCMS Guidance”) and this publication is used as a reference throughout this Policy.
- 1.4 The Service’s present position on the care and use of human remains is set out within this document. It will be reviewed at least every five years, in tandem with the Service’s Collections Development Policy (2018).

## 2. What does “Human Remains” mean?

- 2.1 The definition of human remains for the purposes of this Policy follows that given in the DCMS Guidance:

The term human remains is used to mean the bodies, parts of bodies and cremated remains, of once living people from the species *Homo sapiens* (defined as individuals who fall within the range of anatomical forms known today and in the recent past). This includes osteological material (whole or part skeletons, individual bones or fragments of bone and teeth), soft tissue including organs and skin, embryos and slide preparations of human tissue.

In line with The Human Tissue Act 2004, the definition does not include hair and nails, although it is acknowledged that some cultural communities do give these a sacred importance. Human remains also include any of the above that may have been modified in some way by human skill and/or may be physically bound-up with other non-human materials to form an artefact composed of several materials. Another, but much smaller, category of material included within this definition is that of artworks composed of human bodily fluids and soft tissue. (Taken from DCMS Guidance, p9)

3. Where it is known that cultural communities give hair and nails sacred importance, this material will be treated in the same way as human remains according to the above definition and as outlined below. **Current scope of human remains in the collections**

- 3.1 The Service holds more than 1,500 pieces of human remains in four of its collections: Natural Sciences, Archaeology & Local History (which includes Egyptology), World Art and Decorative Art. The remains fall into the following categories:

Collection	Material
Natural Sciences	Osteology
	Histology/pathology
Archaeology & Local History	Osteology
	Cremated remains
	Artefacts, including teeth
Egyptology	Mummified remains
World Art	Artefacts
Decorative Art	Artefacts

Natural Sciences hold some prehistoric material but the vast majority of human remains are no more than 200 years old.

The material from Archaeology & Local History is almost exclusively from Sussex. The Sussex holdings include known human skeletal material (unmodified) from the Neolithic (e.g. Whitehawk) through to the AngloSaxon period (around 1200 BP [800 AD]). The majority is Anglo-Saxon. This material also includes cremated remains.

The ancient Egyptian mummified remains are around 3,000 years old.

Those human remains in the World Art collection are all modified in some way, often for secondary use and are probably no more than 200 years old.

Decorative Art material is around 120-200 years old.

- 3.3 The Service holds human remains by virtue of the historic collections it cares for, for the purposes of research, public and specialist education and the better understanding of humanity.
- 3.4 The Service believes in being open about the contents of the collection and making information available to all enquiries. It will work towards publishing full details of its holdings in a printable format and on the Service's website.

#### **4. Legal**

This Policy complies with a number of legal requirements.

- 4.1 The Service cannot legally own human remains except where these remains have been treated or altered „through the application of skill“. „Skill“ is not clearly defined but is likely to include a scientific preparation or the work of an artisan.
- 4.2 The 2005 Church of England and English Heritage joint publication Guidance for Best Practice for Treatment of Human Remains Excavated From Christian Burial Grounds in England (2005) notes that although there are no property rights in human remains, post-excavation processing (such as marking remains with date, site etc), may fall within the definition of the „application of skill“ and possibly

endow skeletal remains with property rights. In this regard, further recommendations are provided in the Society of Museum Archaeologists publication, Selection, Retention and Dispersal of Archaeological Collections (1993, 1997).

- 4.3 Human remains less than 100 years old (from the 1<sup>st</sup> September 2006) come under the statutory requirements of the Human Tissue Act 2004. If the Service holds such material it will be required by law to obtain a licence from the Human Tissue Authority (HTA) to hold human remains that are less than 100 years old. In order to obtain a licence, the Service will have to meet various requirements and adhere to the Code of Practice issued by the HTA as well as to the guidelines for good practice set out in the DCMS Guidance. For human remains less than 100 years old, the Service's HTA-approved „Designated Licence Holder“ will be the Head of Collections, Interpretation & Learning.
- 4.4 Under the Freedom of Information Act 2000 the Service has a requirement to provide information for enquiries received by Brighton & Hove City Council when requested to do so. All requests are considered on their own merits and the Service will provide information within 10 working days with due consideration being taken regarding the Data Protection Act 1998.
- 4.5 Under the provisions of the Data Protection Act 1998, the Service is required to safeguard the confidentiality of personal data. Should the case arise, appropriate consent will be sought regarding the disclosure of such information if it is necessary.
- 4.6 Under the Human Rights Act 1998, there are implications concerning the rights of indigenous peoples who might lay claim for the return of human remains. Specific Articles of the European Convention on Human Rights and its Five Protocols mean that the Service may have obligations to such claimants.
- 4.7 Unauthorised disinterment of a body is a common law offence. Human remains removed during archaeological excavations in the UK are subject to a Home Office licence or directions. Church law requires the reburial of skeletal material excavated from an active church. The Service adheres to these requirements.

## **5. Ethical framework**

- 5.1 The DCMS Guidance is not statutory, but it makes recommendations for best practice. In its approach to the care and treatment of human remains, the Service bases its principles on the ethical and procedural frameworks proposed in the DCMS Guidance.
- 5.2 In summary, the Service will, in handling human remains and claims relating to them, demonstrate:
  - Rigour (act rationally with appropriate knowledge, skill and care, and justify decisions)
  - Honesty and integrity (be worthy of trust by others, declare conflicts of interest, show honesty in communicating knowledge with all interested parties, act in a principled manner)

- Sensitivity and cultural understanding (show sensitivity and compassion for the feelings of individuals, show understanding of different religions, spiritual and cultural perspectives)
- Respect for persons and communities (show respect for individuals and communities, minimise any adverse effect had on people and communities, respect privacy and confidentiality)
- Responsible communication, openness and transparency (listen, inform and communicate openly and honestly)
- Fairness (act fairly, give due weight to the interests of all parties, act consistently).

(Taken from DCMS Guidance, p14)

5.3 The following ethical principles will guide and inform decision-making concerning the handling and care of human remains and in considering claims:

- Non-maleficence (doing no harm)
- Respect for diversity of belief (respect for diverse religions, spiritual and cultural beliefs and attitudes to remains, tolerance)
- Respect for the value of science (respect for the scientific value of human remains and for the benefits that scientific inquiry may produce for humanity)
- Solidarity (furthering the understanding of humanity through cooperation and consensus in relation to human remains)
- Beneficence (doing good, providing benefits to individuals, communities or to the public in general)

(Taken from DCMS Guidance, p14-15)

## 6. Policy Objectives

6.1 This Policy enshrines the procedural responsibilities and ethical principles outlined in the DCMS Guidance for the management and use of human remains in the Service's care. It also draws on additional professional guidelines and standards to inform policy and practise, including:

- Human Tissue Authority (HTA) Public Display Code of Practice (2006)
- Museum Documentation Association SPECTRUM: The UK Museum Documentation Standard (updated 2005)
- Museums Association professional guidelines and standards (acquisition, disposal, access)
- Museums Association Code of Ethics, 2008, revised 2015
- Museums Libraries & Archives Council (MLA) Inspiring Learning for All (2006)
- Benchmarks in Collections Care for Museums, Archives and Libraries 2.0. London: Collections Trust, 2011
- SPECTRUM 4.0 The UK Museum Collections Management Standard, London: Collections Trust, 2011 (draft of SPECTRUM 5.0 being consulted on as of April 2017)
- Guidance for Best Practice for Treatment of Human Remains Excavated From Christian Burial Grounds in England Society of Museum Archaeologists Selection, Retention and Dispersal of Archaeological Collections, Guidelines for use in England, Wales and Northern Ireland (1993 & 1997)

- 6.2 The Service will work towards these in those areas where current policy and practise require improvement. The Head of Collections, Interpretation & Learning has overall responsibility for ensuring that the procedural responsibilities and ethical principles for the care of human remains in this Policy are properly adhered to, with delegated responsibilities to the relevant Keepers/Curators of Natural Sciences, Archaeology & Local History, World Art and Decorative Art.
- 6.3 Human remains should be treated with respect. Wherever possible, the Service will take account of the wishes of genealogical descendants, cultural communities and faith organisations in the care, management and use of human remains.
- 6.4 Reference is made below to the Service's Human Remains Group. This is made up of the Head of Collections, Interpretation & Learning, Senior Keeper and relevant Keepers/Curators.

## **7. Collections care and management**

### Acquisition

- 7.1 The Service will acquire human remains in full and open consultation with appropriate communities. In addition to consent from genealogical and culturally affiliated groups, all acquisitions of human remains will be made in accordance with the Service's Collections Development Policy (2018). Human remains will be acquired responsibly and ethically in accordance with legal requirements and professional standards and so long as the Service is satisfied that it can hold the remains in a lawful manner; provenance has been clearly established; there is no suspicion of illicit trade; and the remains are of potential value to the Service or wider scientific community. Acquisition of remains under 100 years old will, additionally, fall within the remit of the Human Tissue Act 2004

### De-accessioning

- 7.3 Human remains must be de-accessioned responsibly, with reference to the legal, ethical and professional principles and procedures set out in the DCMS Guidelines and in accordance with the Service's Collections Development Policy (2018).
- 7.4 Claims for the return of human remains are considered below. If the Service wishes to de-accession human remains in other circumstances it will be proactive in trying to establish whether any genealogical or cultural descendants exist who might wish to make a claim for return or reburial of historic human remains, although it is unlikely that the Service has material from known individuals. In respect of recent human remains that are identifiable, HTA advice is not to approach families proactively, but to comply with family requests for tissues or organs to be returned if claims are made.
- 7.5 At this time, the Service will only pro-actively dispose of human remains by transfer to another Accredited institution with an appropriate human remains policy.
- 7.6 The Service supports the view in The Guidance for best practice for treatment of human remains excavated from Christian burial grounds in England (Church of England/English Heritage, 2005) that reburial of remains after excavation, rather than long-term retention for scientific research, denies a potentially valuable

research resource to future workers. Indiscriminate reburial of museum collections is therefore undesirable.

7.7 It also accords with Selection, Retention and Dispersal of Archaeological Collections”, Guidelines for use in England, Wales and Northern Ireland (Society of Museum Archaeologists, 1993 and 1997) that re-deposited, disarticulated and fragmentary remains will be retained for their potential contribution to the understanding of funerary and non-funerary practices and post-depositional disturbance, this being especially important for prehistoric sites where fragmented human remains may be recovered from contexts which are not primarily of funerary nature.

7.8 The Service’s Human Remains Group will produce a report and recommendations for the Director of Royal Pavilion & Museums to take to the Service’s governing body for any human remains the Service wishes to pro-actively de-accession, in accordance with the Service’s Collections Development Policy (2018)

#### Claims for return

7.9 The Service will be open and transparent when dealing with any legitimate claim. Full consultation and equitable negotiations will form the basis of any claim.

7.10 The Service considers that claims are unlikely to be successful for any remains over 300 years old, and are highly unlikely to be considered for remains over 500 years old, except where a very close geographical, religious, or cultural link can be demonstrated.

7.11 The Service will seek to establish the status of the „claimant community“. Broadly, this might be expected to fall into one of two categories: genealogical descendants<sup>6</sup> or cultural communities of origin<sup>7</sup>.

Where the claim is being made by another party on behalf of the claimant community, wherever possible, the community’s support for the claim must be clear.

7.12 Requests must be in writing to the Head of Collections, Interpretation & Learning and be supported by appropriate documentation. All claims will be formally acknowledged in writing within 10 days, together with an indication as to how long the claim may take and the Service’s procedures for dealing with such claims.

7.13 If any such claim is made the Service will be proactive in helping to determine whether the claim is just and take all necessary steps to ensure the claim is properly processed in a sensitive and unbiased way. A full investigation will be undertaken openly and with the full co-operation of the claimant and any other interested parties. The Human Remains Group, working in consultation with claimants, will gather evidence relating to any claim. The Group will use this Policy and procedural guidance in the DCMS Guidelines (Part 3: Claims for the

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<sup>6</sup> “individuals (who) can demonstrate a direct and close genealogical link to the human remains...” (DCMS 2005: 26)

<sup>7</sup> “For a community to be recognised...it would generally be expected that continuity of belief, customs or language could be demonstrated between the claimants and the community from which the remains originate.” (DCMS 2005: 26)

return of remains) as the basis for the production of a report and recommendations for the Head of Museums and the Royal Pavilion to take to the Service's governing in accordance with the Service's Collections Development Policy (2018).

In undertaking the investigation the Service will, where necessary, engage relevant specialists to provide independent reports. Service staff will be responsible for collating evidence relating to any claim, including commissioning independent research.

In advance of the submission of the report to the Service's governing body, the report may be first considered by an advisory panel, formed of external specialists brought together for that sole purpose. Wherever possible, the Service will ensure that the panel reflects a broad spectrum of interests relevant to the case. The panel's role will be to assess whether the criteria for assessing a claim (as set out in 3.3.2 Evidence Gathering, Part 3: Claims for the return of remains, DCMS Guidelines) have been adequately addressed in the report. Only when this is found to be the case will the Service proceed with a recommendation to the governing body.

7.14 Once a decision has been made, a written report will be prepared that explains how the decision was reached. Claimants will be informed of the decision in writing and decisions will also be published on the museum website.

7.15 Where a decision is made to return remains, the Service will negotiate an agreement with the claimant representative concerning the arrangements for their return. The Service expects that normally claimants will bear the cost of transport for remains returned.

#### Storage

7.16 Each Keeper responsible for a collection containing human remains will, as a priority, audit storage provision, using Benchmarks in Collection Care, and report to the Human Remains Group on any improvements necessary to meet „Good“ practice classification.

7.17 Human remains will be kept in suitably safe and secure premises, with monitored environments, which are, as far as is practicable, kept clean and regularly checked for pests, damaged and leaking storage containers and other potential threats.

7.18 It will be the aim to place material in individual, marked boxes that also act as auxiliary supports to facilitate handling without direct physical contact. Physical contact will be kept to a minimum although, when absolutely necessary, direct contact with skin will be avoided through the use of conservation standard gloves.

7.19 Human remains will be stored so that access to them is allowed only to authorised staff and supervised visitors with specific permission. Where human remains comprise a small proportion of a larger collection, curators will identify a designated area where human remains will be stored, to create conditions supportive of respectful treatment.



### Associated objects

7.20 The DCMS Guidance states that it will usually be acceptable to store objects found associated with human remains separately. However, where known, the wishes of descendants, cultural communities or relevant faith organisations will be taken into consideration. Objects associated with human remains in the care of the Service will be documented with reference to those remains.

7.21 In certain circumstances it may be deemed appropriate to store artefacts and animal remains found in association with the bodies of the dead with the remains they are related to. In such cases, in-house conservation advice will be sought to determine the required conditions and location (Historic Scotland The Treatment of Human Remains (1997)).

### Conservation

7.22 The integrity of human remains is important in many belief systems and is also crucial to their future research and study.

7.23 Consent will be sought for any conservation work on material less than 100 years old and consultation undertaken with genealogical descendants or cultural communities for historic human remains.

7.24 A full record of treatment applied to the remains (e.g. washing and sieving of cremations) will be retained as part of the archive associated with any human remains. Appropriate health and safety regulations, such as those concerning the control of substances hazardous to health (COSHH), will be complied with.

### Marking and Labelling

7.25 The Service will number the human remains in its care in such a way as to minimise the risk of loss or disassociation. Marking and labelling will, as far as is practicable, be in accordance with MDA Guidelines and professional standards. Although the marking of skeletal remains is standard practice for English remains, this is not always acceptable for those from other cultures.

### Documentation

7.26 In all circumstances, copies of all relevant paper or digital records (such as authorisation and funding agreements, correspondence, excavation records, specialist reports, letters etc.) must be retained. In addition, all information connected with conservation, sampling, loans, display, research, filming, photography and use of human remains must be properly documented and this data clearly linked with the remains concerned.

## **8 Use and access**

### Access and research

8.1 The Service will develop a research ethics policy (to include a consideration of sampling and other destructive analysis) and an application form for access to human remains. Applicants will be required to sign the application to show that they will abide by the policy and understand their ethical and legal obligations to treat human remains with dignity and respect. All requests to research human remains should be made through the relevant Keeper/Curator. Access to human remains will be granted only after the terms and nature of the access required

has been agreed and appropriate supervision is established. The relevant Keepers/Curators are responsible for ensuring proper handling, care, and security of items being examined by researchers.

- 8.2 The Service will keep a research register of all access granted to human remains.
- 8.3 It may be appropriate to restrict access to certain specified human remains where unrestricted access may cause offence or distress to genealogical or cultural descendants. The Service will not allow public access to any human remains while the outcome of a claim for their return by a source community is pending.
- 8.4 Requests regarding tissue (slides), and any other material less than 100 years old, require the approval of the Service's Human Tissue Authority approved license-holder.
- 8.5 Requests involving invasive or destructive samples for analysis will be assessed on a case by case basis by the Human Remains Group.
- 8.6 Research and sampling of contested or identifiable human remains will only be made after due process of consultation.

#### Teaching and learning

- 8.7 Provided due regard is given to sensitivities and the care of the objects, it is acknowledged that human remains in teaching sessions can have far more educational impact than using models or other media.
- 8.8 Any members of the public, including teachers, schoolchildren and students, need to be forewarned of any human remains in a museum-based or off-site teaching session. Prior to access to human remains, participants in the session will be told what is meant by dignified and respectful treatment of human remains.

#### Display

- 8.9 Visitor surveys in other museums have shown that most museum visitors are comfortable with, and often expect to see, human remains as an element of museum displays. The Service continues to display human remains for the purposes of education – for example, explaining burial practices and the use of human remains in the manufacture of artefacts, to bring visitors into physical contact with people of the past and to encourage reflection.
- 8.10 In accordance with the Museum Ethnographers Group Guidelines on Management of Human Remains (1991 and 1994), the Service will endeavour to „take a proactive rather than reactive position with regard to the display of human remains“. Each display containing human remains will be assessed. The assessment will take into account a) the contribution made to the interpretation and whether this contribution could not be made equally through another medium, and b) whether the display is likely to cause offence to genealogical or cultural descendants. Sufficient and appropriate explanatory material should be provided for each display. Decisions on whether and how to include human remains in displays will take account of the intended audience, the display objectives, the method of display and interpretation, the visual and physical

impact of human remains and their fragility. Consideration will be given to how best to prepare visitors to view them respectfully, to explain the context in which they are being displayed, and to warn those who may not wish to see them at all. Wherever possible, consultation will take place to ensure human remains are displayed suitably and acceptably.

8.11 Each entry on the Service's collections website will be assessed in the same way as a display, taking into account the interpretation and value of placing the human remains material on the web.

8.12 Presentation (whether in museum displays or on the web) of contested or identifiable human remains will only be made after due process of consultation and consent.

8.13 As with all displays, light and environmental conditions as well as the safety and security of the display will be taken into account to ensure that the remains are shown respectfully and safely.

#### Loans

8.14 All loans will adhere to the Service's collections policies. Due regard to the respectful and sensitive handling of the material must be stressed and any loanee must adhere to guidance laid out in this Policy, the DCMS Guidance and the Guidance for best practice for treatment of human remains excavated from Christian burial grounds in England (Church of English/English Heritage, 2005). Likewise, these will be followed when the Service borrows human remains from other institutions. The Service's Human Remains Group will advise the Head of Museums and Royal Pavilion on any requests for incoming or outgoing loans of human remains from the collections.

8.15 Loans of contested or identifiable human remains will only be made after due process of consultation and consent.

#### Photography and film

8.16 It is generally acceptable to use photography and film of human remains for research, educational and general museum use. However, the views of relevant communities should be taken into account, and consideration should be taken of any sensitivities regarding the taking of pictures and / or how images might be used.

8.17 With any material less than 100 years, the appropriate sections of the Human Tissue Act 2004 will be taken into consideration.

8.18 Currently, photography and filming in the galleries are not prohibited. However, the Service will place labels next to human remains on display, requesting visitors to use sensitivity in photographing or filming them and directing visitors to further information available at the Information Desk.

8.19 Researchers wishing to photograph or film human remains will need to note this on their application, describe the benefit to be gained from it and indicate how s/he intends to use the material in a sensitive and appropriate manner. Applications will be assessed on a case by case basis.

8.20 Requests for images will be assessed on a case by case basis. If/when image orders are agreed to, the images will be accompanied by a note of what is meant by dignified and respectful treatment of human remains.

8.21 Photography or film of contested or identifiable human remains will only be made available (or new images/footage taken) after due process of consultation and consent.

## **9. References & Bibliography**

RPM Collections Development Policy (2018)

British Museum, 2005 The British Museum policy on human remains,  
[www.thebritishmuseum.ac.uk/corporate/guidance/BM\\_policy\\_on\\_human\\_remains.pdf](http://www.thebritishmuseum.ac.uk/corporate/guidance/BM_policy_on_human_remains.pdf)

Church of England and English Heritage, 2005, Guidance for best practice for treatment of human remains excavated from Christian burial grounds in England,  
[http://www.englishheritage.org.uk/upload/pdf/16602\\_HumanRemains1.pdf](http://www.englishheritage.org.uk/upload/pdf/16602_HumanRemains1.pdf)  
<http://www.cofe.anglican.org/news/pr1205.html>

Department of Culture, Media & Sport, 2005, DCMS Guidance for the care of human remains in museums,  
<http://www.culture.gov.uk/NR/rdonlyres/0017476B-3B86-46F3-BAB311E5A5F7F0A1/0/GuidanceHumanRemains11Oct.pdf>

English Heritage, the Council for the Care of Churches and Cathedrals Fabric Commission (both Church of England organizations), 2001, Church archaeology human remains working group report  
[http://www.english-heritage.org.uk/upload/pdf/church\\_arch\\_remains\\_report.pdf](http://www.english-heritage.org.uk/upload/pdf/church_arch_remains_report.pdf)

European Convention on Human Rights and its Five Protocols, 1950-1966  
<http://pages.britishlibrary.net/blwww3/law/euroconvention.htm>

Fforde, C., 2004, Scoping survey of Pre-1948 human remains in UCL collections. University College London  
[http://www.ucl.ac.uk/museums/further\\_info/documents/UCL\\_human\\_remains\\_final\\_report](http://www.ucl.ac.uk/museums/further_info/documents/UCL_human_remains_final_report)

Halsbury's Laws of England

Historic Scotland, 1997, The Treatment of Human Remains, Historic Scotland Operational Policy Paper 5 [www.historic-scotland.gov.uk/h1.391\\_leaflet\\_2.pdf](http://www.historic-scotland.gov.uk/h1.391_leaflet_2.pdf)

Human Remains Advisory Service (HRAS), 2006, helps smaller museums deal with claims for the repatriation of human remains from their collections.  
[http://www.culture.gov.uk/what\\_we\\_do/Cultural\\_property/human\\_remains\\_in\\_UK\\_institutions/](http://www.culture.gov.uk/what_we_do/Cultural_property/human_remains_in_UK_institutions/)

Human Tissue Authority (HTA), 2006, Public Display Code of Practice  
[www.hta.gov.uk/guidance/codes\\_of\\_practice.cfm](http://www.hta.gov.uk/guidance/codes_of_practice.cfm)

Hunterian Museum and Art Gallery, 2004, The Hunterian Museum and Art Gallery Collections Policies and Procedures  
[www.hunterian.gla.ac.uk:443/museum/foi/files/Collections\\_Policies\\_2004.pdf](http://www.hunterian.gla.ac.uk:443/museum/foi/files/Collections_Policies_2004.pdf)

Leicester City Museums Service, 2006, The Curation, Care and Use of Human Remains in Leicester City Museums Service [www.culture.gov.uk/NR/rdonlyres/0017476B-3B86-46F3-BAB3-11E5A5F7F0A1/0/GuidanceHumanRemains11Oct.pdf](http://www.culture.gov.uk/NR/rdonlyres/0017476B-3B86-46F3-BAB3-11E5A5F7F0A1/0/GuidanceHumanRemains11Oct.pdf)

Manchester Museum, 12 January 2005, The use of human remains in museums: Developing protocols for teaching, learning and research programmes; minutes of a workshop [www.museum.man.ac.uk/information/infpolicies.htm](http://www.museum.man.ac.uk/information/infpolicies.htm)

Midland Federation of Museums & Art Galleries, Jewry Wall Museum, Leicester 2/11/2005, Human remains in Museums – a multi faith view

Museums Association, Code of Ethics, London: Museums Association, 2008, revised 2015  
<https://www.museumsassociation.org/download?id=1155827>

Museums Association, 1995 & 2003, Professional guidelines and standards , notably Disposal Toolkit: Guidelines for Museums, London: Museums Association, 2008, revised 2014

<https://www.museumsassociation.org/download?id=1075416>

Collections Trust, SPECTRUM 5.0 (2017)  
<http://collectionstrust.org.uk/spectrum/>

Museum Ethnographers Group, 1991 and 1994, Guidelines on Management of Human Remains, [www.museumethnographersgroup.org.uk/?p=news&n\\_id=8](http://www.museumethnographersgroup.org.uk/?p=news&n_id=8)

Museums and Galleries Commission, 2000, Restitution and Repatriation: Guidelines for Good Practice

Museums, Libraries and Archives Council, 2003, Inspiring Learning For All  
<http://www.inspiringlearningforall.gov.uk/default.aspx?flash=true>

Museum of London, 2006, Human Remains Policy  
[www.mol.gov.uk/NR/rdonlyres/9A7B5213-26C4-4E25-9F63-BDD905F3BC3D/0/MoLGStrategicObject.pdf](http://www.mol.gov.uk/NR/rdonlyres/9A7B5213-26C4-4E25-9F63-BDD905F3BC3D/0/MoLGStrategicObject.pdf)

Natural History Museum, London, 2006, Policy on Human Remains  
<http://www.nhm.ac.uk/research-curation/science-directorate/science-policiesstrategy/index.html>

Pitt Rivers Museum, Oxford, 2006, Human Remains in the Pitt Rivers Museum  
<http://www.prm.ox.ac.uk/human.html>

Collections Trust, Benchmarks in Collection Care, 2.0 (2017)  
<http://collectionstrust.org.uk/resource/benchmarks-in-collections-care-2-0/>

Restall Orr, E., 2004, „Honouring the Ancient Dead“ in British Archaeology (no.

77) <http://www.honour.org.uk/index.html>

Royal College of Surgeons, 2001, Submission to the Human Remains Working Group [http://www.culture.gov.uk/hr\\_cons\\_responses/wg\\_submission/S44.pdf](http://www.culture.gov.uk/hr_cons_responses/wg_submission/S44.pdf)

Society of Museum Archaeologists 1993 & 1997, Selection, Retention and Dispersal of Archaeological Collections, Guidelines for use in England, Wales and Northern Ireland [www.collectionslink.org.uk/assets/userfiles/index.php?file=000072.pdf](http://www.collectionslink.org.uk/assets/userfiles/index.php?file=000072.pdf)  
[www.archaeologists.net/modules/icontent/inPages/docs/training/project\\_report.pdf](http://www.archaeologists.net/modules/icontent/inPages/docs/training/project_report.pdf)

Surrey Museums, [no date] Guidelines on Policy for Human Remains in Surrey Museums, [www.surreymuseums.org.uk/staff/human.DOC](http://www.surreymuseums.org.uk/staff/human.DOC)

UNESCO Convention on the Prevention of the Illicit Import, Export and Transfer of Ownership of Cultural Property, 1970  
[www.unesco.org/culture/laws/1970/html\\_eng/page1.shtml](http://www.unesco.org/culture/laws/1970/html_eng/page1.shtml)  
[http://portal.unesco.org/en/ev.php-URL\\_ID=13039&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/en/ev.php-URL_ID=13039&URL_DO=DO_TOPIC&URL_SECTION=201.html)

UK Data Protection Act, 1998 <http://www.opsi.gov.uk/ACTS/acts1998/19980029.htm>

UK Freedom of Information Act, 2000  
<http://www.opsi.gov.uk/ACTS/acts2000/20000036.htm>

UK Human Rights Act, 1998  
<http://www.opsi.gov.uk/ACTS/acts1998/19980042.htm>

UK Human Tissue Act, 2004 <http://www.opsi.gov.uk/acts/acts2004/20040030.htm>

## 10 Acknowledgements

We would like to thank the University College London (UCL) Human Remains Working Group for allowing us to freely use their Policy. We are also grateful to colleagues in many other museums who commented on an earlier draft of this policy and/or have shared their human remains policies with us, often in draft form including:

Birmingham Museum & Art Gallery, Bristol's City Museum & Art gallery, The British Museum, Glasgow Museums, Hunterian Museum and Art Gallery, Leicester City Museums Service, Liverpool Museum, Museum of London, Natural History Museum, National Museums on Merseyside, Pitt Rivers Museum (University of Oxford), Nottingham City Museum & Gallery, Plymouth Museum.

### **3i Royal Pavilion & Museums Access Statement**

**Date at which this policy is due for review: January 2021**

## **Access Policy Statement 2018 – 2022**

### **Introduction**

Royal Pavilion & Museums (RPM) is committed to, and believes, that all people and sectors of the community have a fundamental right to engage with, use and enjoy the collections and services it provides. We recognise that there are many barriers to access but are committed to making all aspects of our activities as fully accessible and inclusive as our resources allow, including access to buildings, collections, events, exhibitions, learning and engagement - and to our staff and volunteers as well as visitors.

RPM is committed to increasing public access to collections and information associated with those collections, to increase knowledge and understanding of the items the Service holds and the cultural heritage of Brighton & Hove.

### **Vision, Mission and Objectives**

RPM's vision is to provide museums that play a vital role in making Brighton & Hove a fantastic place to live work and visit, and inspire people to build a more sustainable and socially just world. Our mission is to preserve the past to inform the present. Using the outstanding collections, buildings and knowledge in our care, we will challenge and inspire our visitors to positively shape their future. Our sustainable museums will support the economy of Brighton & Hove, promote personal well-being, and celebrate diversity.

As an organisation we aspire to transform into a resilient organisation with a reputation for vibrancy and relevance, renowned for its digital innovation and inspiring a sense of shared ownership, and where our work is driven by creative collaborations with local communities and partner organisations.

The Aims for our 2018-22 Business Plan are:

- Be more strategic in caring for and developing our natural, scientific and cultural resources for present and future generations.
- Develop a distinctive offer at each of our five sites and online to support learning, creativity and well-being
- Actively engage more people in understanding, developing and / or interpreting our shared collections, including a focus on children and young people
- Build a co-operative, sustainable and resilient organisation that supports the wider cultural sector
- Ensure the organisation and its work reflects the diverse culture of contemporary society

### **Policy context**

RPM will adhere to all national and international statutes of law, including specifically in relation to access, but not exclusively the Equality Act 2010, Freedom of Information Act 2000 and the Data Protection Act 1998.

RPM's Access Policy Statement is consistent with Brighton & Hove City Council's Equality and Diversity Policy Statement and Strategy (2017), and its Corporate Plan 2015-19. The Council's current objective under the Equality Act 2010 is to achieve excellence in its equality practice by 2020, as measured by the Equality Framework for



Local Government. This objective covers all aspects of its work, all its services and everyone protected by the law.

We will follow national standards, ethical codes and best practice guidelines concerning equalities and inclusion.

### **Types of access**

We define access as something that is made possible when physical, cultural, social, sensory, intellectual, financial, emotional and attitudinal barriers are removed or reduced.

To eliminate and reduce barriers and ensure equality of access we will consider the following aspects of accessibility to our services and collections:

- Physical: enabling people with physical disabilities, the elderly and those caring for young people to reach and appreciate every part of the Service, its buildings and its collections.
- Sensory: to build into all aspects of the Service's activities a wide range of different sensory experiences. This encompasses interpretation accessible to those with limited sight or hearing.
- Intellectual: we acknowledge that people have different learning styles and we will provide interpretation taking into account people's varied needs and preferred learning styles by adopting clear interpretive guidance.
- Cultural: we acknowledge and recognise cultural differences, including language, and seek to represent varied cultural experiences and issues through our programmes, exhibitions and events, offering them in various languages where possible and appropriate.
- Emotional / Attitudinal: to ensure that all visitors feel welcomed and valued.
- Financial: we will aim to recognise and minimise financial barriers to the use of sites and the collections, and associated activities products and commercial facilities, wherever possible

### **How RPM will deliver the policy**

Brighton & Hove City Council's Equality and Diversity Policy Statement and Strategy sets out five areas of focus:

- Open and equitable services
- Inclusive employer
- Services that understand our diverse population
- Strong and fair leadership
- Effective partnership working to reduce inequality

RPM will actively contribute to the promotion of equality and inclusion in all five areas in a number of ways including but not limited to:

- Carrying out Equality Impact Assessments of our services, sites and projects.
- Further developing our community engagement and outreach activity; building on our commitment to establish a diverse volunteer base and to making volunteering opportunities as accessible and responsive as possible to the different needs of our volunteers; and extending targeted volunteering pathways for harder to reach groups.

- Ensuring varied and sustainable access to collections and that any competing demands of access and long term care of collection items will be managed in accordance with the outcomes of a collections care risk assessment.
- Providing welcoming staff and treating all visitors with equal respect, and addressing the comfort, ease and safety of all visitors.
- Promoting our sites, activities and collections – and providing information and signage - using accessible means of communication.
- Adopting best practice guidance for interpretation including exhibition texts and interactives.
- Consideration of varied audience needs and learning styles in programme planning including events, and informal and formal learning on- and off-site.
- Consideration of access issues, barriers and priorities at each of RPM's five sites through their individual Site Development Plans with appropriate action plans; and providing an Access Statement for each of our sites.
- Continuing regular consultation with our audiences and non-users to ensure the broadest possible access to our facilities, services and collections. We will ensure that contractor, consultants and outside agencies working for, or with LMG adopt and observe our access policies.

This Access Policy Statement links to the following RPM documents:

- Collections Development Policy (2013)
- Community Engagement Strategy (2013)
- Manifesto (2016)
- Audience Development & Engagement Plan (2018)
- Equalities Action Plan (2017)
- Business Plan (2018)
- Staff Learning & Development Plan (2017)
- Volunteer Policy (2017)

RPM's Leadership Team will be responsible for the implementation of this Policy Statement. It will be reviewed every three years.

## APPENDIX THREE - PROPERTY STRATEGY

### Leases

It is proposed to grant the Trust three leases, to document the Trust's occupation of the five museums and two operational buildings currently occupied by the service, and to run concurrently and be linked to the service agreement. On termination of the service agreement the leases will also fall away. The three leases will include the following properties; -

Lease A: Royal Pavilion, William IV Gatehouse, Pavilion Garden (including the Pavilion Café)  
Brighton Museum and Northgate House  
Booth Museum  
Hove Museum and Gallery including gardens and Jaipur Gate  
Preston Manor and gardens

Lease B: 118 Church Road including the Old Court House (operational)

Lease C: 4/5 Pavilion Buildings (operational)

The inclusion of 4/5 Pavilion Buildings and 118 Church Road under 2 separate leases will allow the Trust to terminate those leases and return the properties back to the council at an earlier date should their requirement for office and operational space reduce.

In addition it is proposed that the council will, with the consent of its landlord, assign the leased in property known as UB5 which is used as a storage facility, to the Trust, with a condition attached that should the service agreement be terminated the lease will be assigned back to the council. Such a condition will need to be included in any further leases granted by the landlord to the Trust.

Plans for the properties are attached to this report.

### Lease Terms

Proposed heads of terms for the 3 leases are as follows: -

Term:	25 years, can be terminated on termination of service contract
Demise:	Please refer to plans attached
Rent and rent review:	Leases A & B on a peppercorn
	Lease C for 4/5 Pavilion Buildings to include a rent payable based on the rent passing with annual % reviews or a market rent with 5 yearly reviews
Break clause:	Leases B & C to include break clause provisions for the benefit of the Trust
Maintenance & Repair:	Trust to maintain, repair and ensure statutory compliance
Permitted Use:	Lease A: Museums, art galleries and ancillary uses Leases B & C: Offices, workshops and ancillary uses

Sublettings:	Sublettings of part and hirings permitted To include for example functions, lectures, events, cafés, ice rink (Pavilion), residential flat (Preston Manor) Such uses to be appropriate to the setting and ensure protection of the buildings and heritage. Control mechanisms for the benefit of the council to be included.
Insurance:	Council to retain responsibility for the insurance
Alteration:	Structural alterations not permitted without prior approval
Outgoings:	Responsibility of the Trust
Security of L&T Act 1954:	Excluded

### Value and s123 of the 1972 Local Government Act

With the exception of 4/5 Pavilion Buildings, the properties will be leased to the Trust on a peppercorn rent, reflecting the current operation of the service. However in transferring the properties, the council must meet its requirement to achieve best consideration. As there is scant market evidence for museum transactions the properties have been valued using a depreciated replacement cost (DRC) methodology. The valuations compare the DRC value of the properties now to the DRC values deferred 25 years (the length of the lease) and on that basis there is a difference between the two values. The valuations completed suggest that for three of the buildings (the Royal Pavilion, Brighton Museum and Preston Manor) this difference in value is greater than £2m and in those circumstances the council will require ministerial approval to grant a lease for these properties.

## 4/5 Pavilion Buildings



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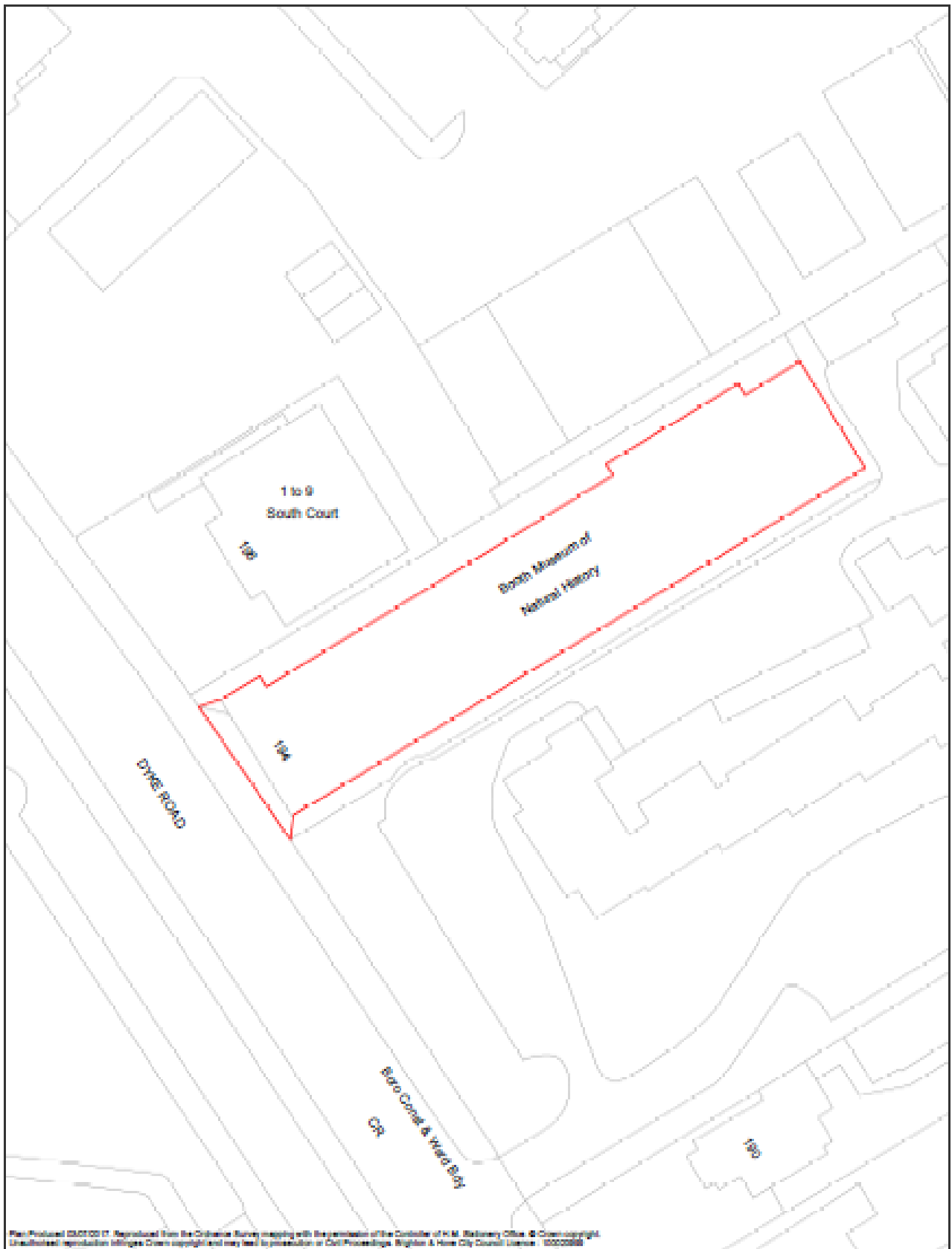


### 4 - 5 Pavilion Buildings, Brighton

Scale 1:500



# Booth Museum



## Booth Museum, Dyke Road, Brighton

Scale 1:500



# Hove Museum

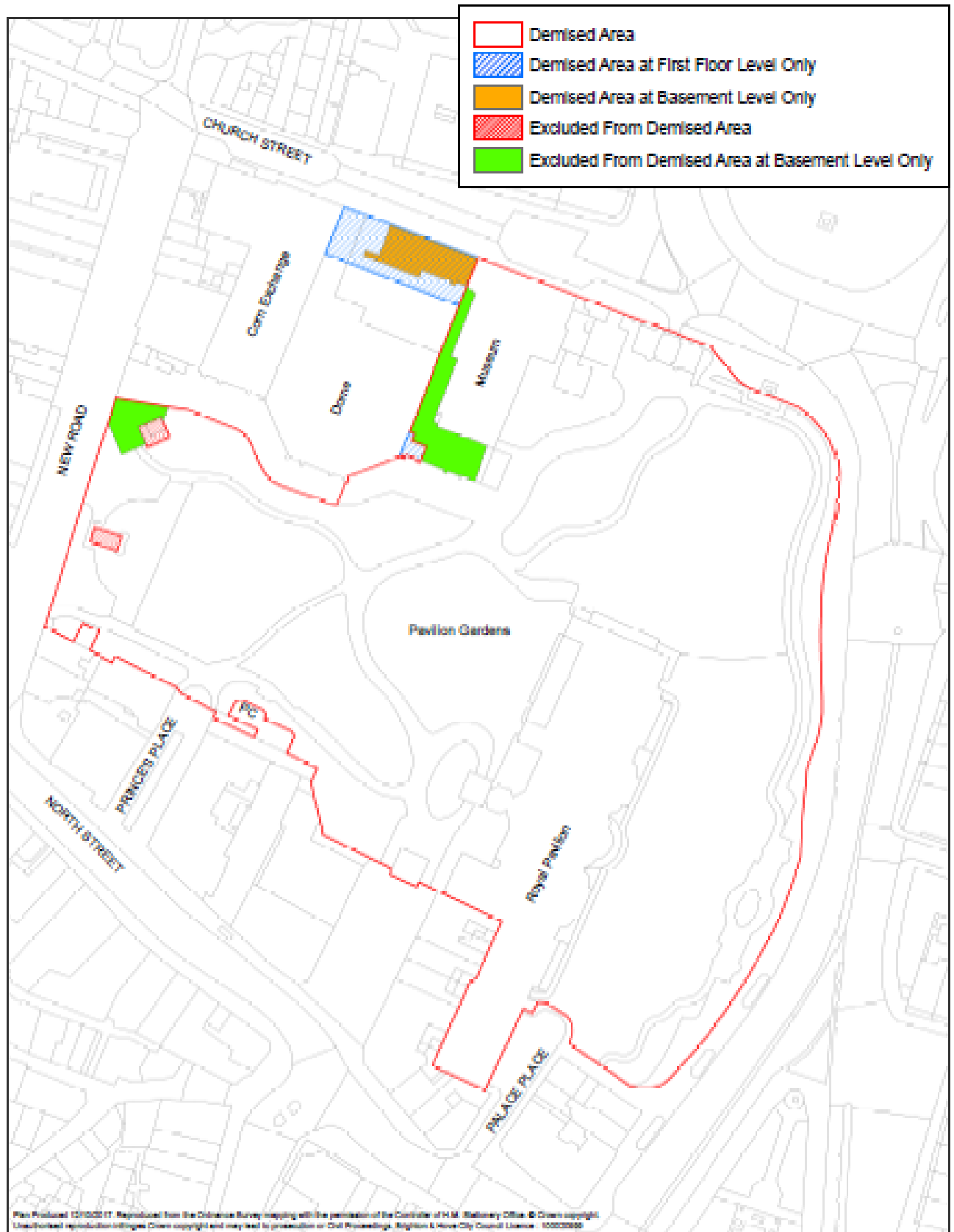


## Hove Museum, Hove

Scale 1:500



# Royal Pavilion & Brighton Museum



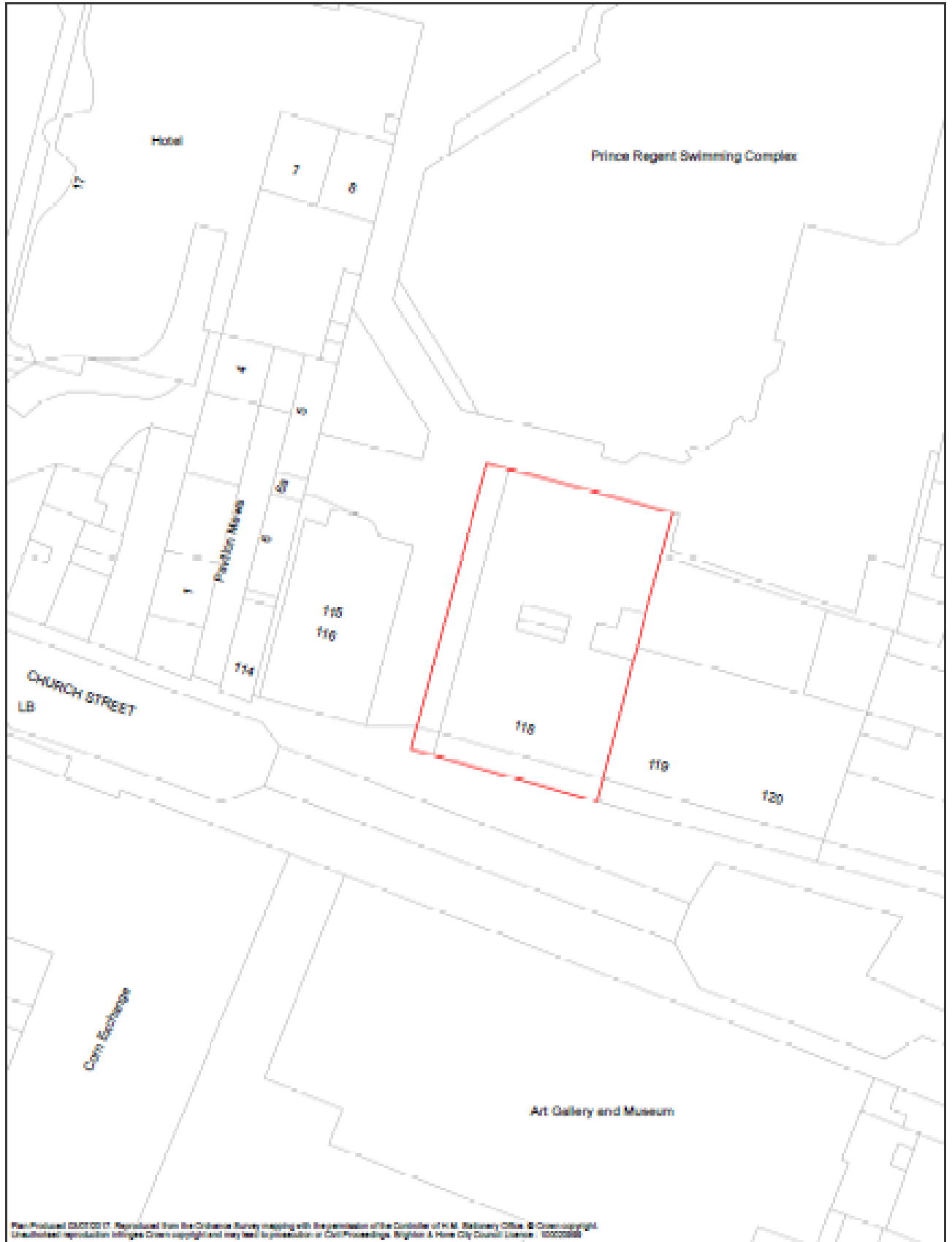
## Royal Pavilion, Gardens, North Gatehouse & Museum

Scale 1:1,250





# The Old Court House



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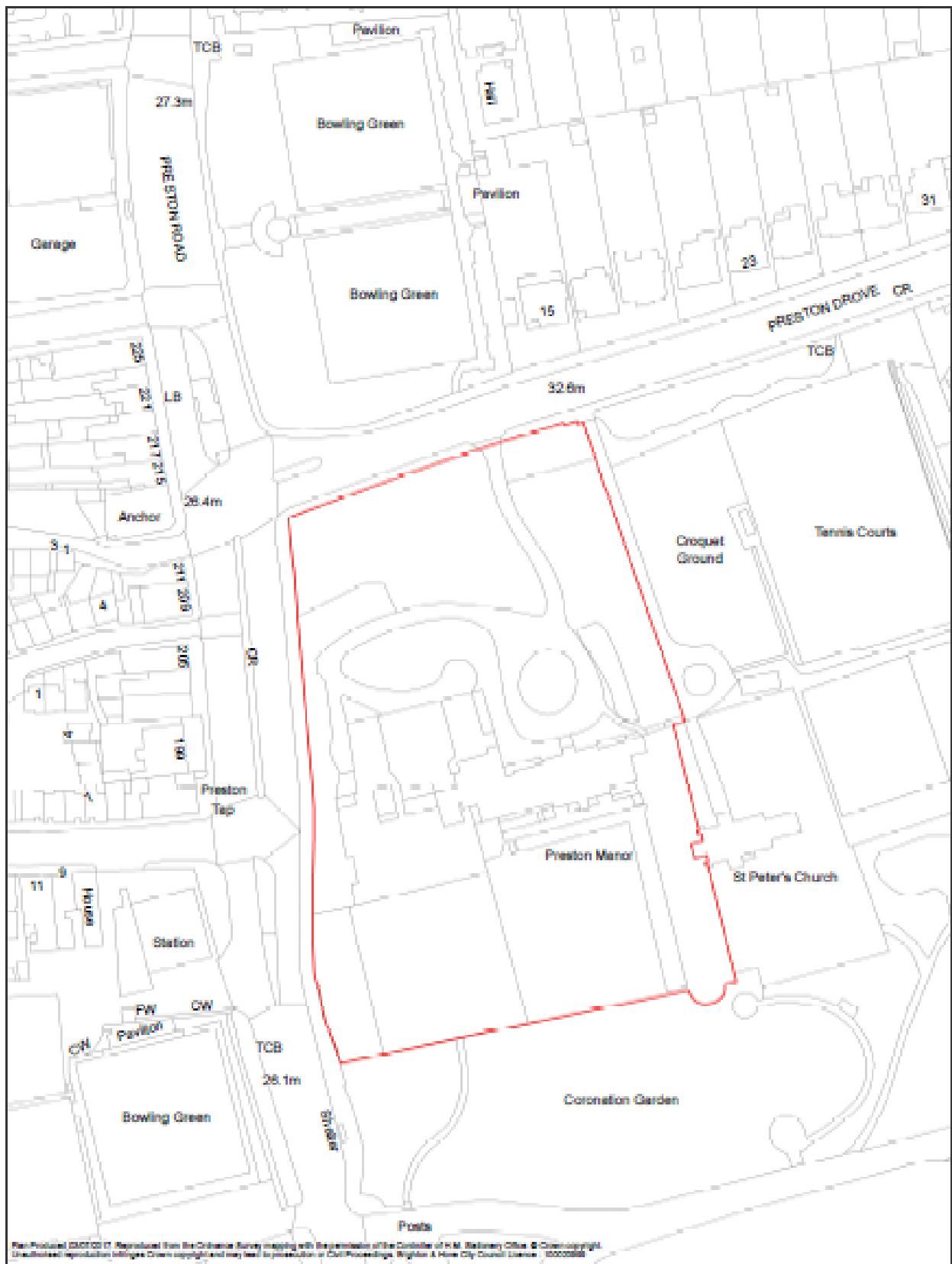


## The Old Court House, Brighton

Scale 1:500



# Preston Manor



## Preston Manor, Brighton

Scale 1:1,250



## **APPENDIX FOUR**

### **Staff Engagement Timetable**

- 1) Early engagement took place in December 2016 and January 2017 with staff briefings and FAQs relating to TUPE transfers circulated to staff.
- 2) Staff Reference Groups consisting of Shadow Board Representatives, local Senior Management and Staff commenced in June 2017 and have continued to be held every month. There is an open invitation for staff to attend these meetings. Minutes from some of these meetings have been circulated to all staff.
- 3) A physical 'post box' for staff to post questions and an online survey were set up to enable staff to ask questions. The survey is being replaced by an email inbox address to enable the collation of questions and answers to be incorporated into a single FAQ document to be shared with staff.
- 4) Work-streams relating to the proposed transfer were set up including work on Property, HR, Finance, Collections, Legal etc with various staff from within the RPM have been involved in these work-streams.
- 5) On 21st November 2017 an email was sent to all staff regarding the change in direction from a 2-stage process to proceeding straight to a single organisation and that discussions have begun between the council, Shadow Board and the Brighton Dome and Brighton Festival to explore this option. In addition to the email, two staff briefings were delivered by the Head of RPM and the Programme Director for Arts, Culture & Visitor Economy.
- 6) Frequently Asked Questions that staff had raised relating to TUPE and the proposal to proceed to a new single organisation were sent to staff on 8th December.
- 7) On 11th December the RPM was closed to enable staff to attend a meeting with the Shadow Board, Councillor Robins and Nick Hibberd. Presentations were given followed by an open Q&A session.
- 8) Notes from the staff meeting on 11th December along with an updated FAQ were circulated to staff on 4th January. These included updated information to address questions raised relating to the 2018 Pay Award and RPM Casual Workers rate of pay following transfer.
- 9) The Executive Director, Nick Hibberd, attended a RPM Senior Management meeting to discuss the transfer on 5th January, with a further meeting on 9th January, and a visit to the Royal Pavilion and Brighton Museum on 12th January, and to Hove Museum on 19th January.
- 10) Management will continue to update FAQs, and meet with staff (on a one-to-one basis and in staff teams/groups) to listen to concerns, work through issues and answer questions.
- 11) Staff at RPM will start to meet with colleagues at BDFL, following the Committee's decision.
- 12) A timetable for the next phase of staff briefings is set out below:

Team(s)	Date	Time	Location
RP Estate Night security	19 January	07.00am	Royal Pavilion/ JB Office
	22 January	07.00am	Royal Pavilion/ JB Office
	15 February	07.00am	Royal Pavilion/ JB Office
	20 February	07.00am	Royal Pavilion/ JB Office
	15 March	07.00am	Royal Pavilion/ JB Office
	20 March	07.00am	Royal Pavilion/ JB Office
RP Estate, Security, Visitor Service, Premises and Housekeeping	22 January	09.00-09.45am	4/5 Pavilion Buildings staff room
	25 January	09.00-09.45am	4/5 Pavilion Buildings staff room
	5 February	09.00-09.45am	4/5 Pavilion Buildings staff room
	6 February	09.00-09.45am	4/5 Pavilion Buildings staff room
	26 February	09.00-09.45am	4/5 Pavilion Buildings staff room
	27 February	09.00-09.45am	4/5 Pavilion Buildings staff room
	13 March	09.00-09.45am	4/5 Pavilion Buildings staff room
	15 March	09.00-09.45am	4/5 Pavilion Buildings staff room
Fundraising	23 January	1.00-2.00pm	4/5 Pavilion Buildings Fundraising office
	14 February	1.00-2.00pm	4/5 Pavilion Buildings Fundraising office
	13 March	1.00-2.00pm	4/5 Pavilion Buildings Fundraising office
Enterprise and Business Systems	24 January	2.00-3.00pm	BMAG seminar room
	21 February	11.00am	Tbc
	21 March	11.00am	Tbc
Development and Operations and Visitor Services Booth, Preston, Hove	26 January	4.00pm	Preston Manor
	26 February	4.00pm	Preston Manor
	26 March	4.00pm	HMAG
Collections, Learning, Interpretation & Conservation	30 January	09.00-10.00am	BMAG Seminar Room
	28 February	09.00-10.00am	BMAG Seminar Room
	28 March	09.00-10.00am	BMAG Seminar Room
Collections, Learning & Interpretation managers	21 February	tbc	SP office
	21 March	tbc	SP office

13) The programme of a further phase of staff engagement meetings during February and March 2018 is currently under preparation and will be released to staff later this month.

14) Training is being arranged in relation to specific changes, including (for example) the introduction of Gift Aid.

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