

COLLECTIONS MANAGEMENT PROCEDURE

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Introduction

Summary

This procedure outlines the basic fact-finding and safeguards to be undertaken before a potential acquisition is submitted to the Syndicate for approval, and the results should form part of the case for accession to the collection. The object should then be documented to a minimum standard, so that we have a permanent digital record of how and why the museum has obtained legal transfer of title.

Compliance

Acquisition is a Spectrum Primary Procedure, which means that we must be able to prove we can meet this standard, in order to answer Accreditation requirements. We will do this by ensuring that all required evidence is submitted to Syndicate for approval, and using Adlib reports to test that the minimum data standard has been completed for all new approved objects.

Application

Acquisition procedure applies to all object that enter that Museum by donation, purchase, or bequest (with or without prior agreement with the testator or their executors). They may be a response to unsolicited offers, reaction to published sale catalogues, permanent settlement of a long-term loan, or assignment through the Acceptance in Lieu or Cultural Gift Schemes administered by Arts Council England: but it is desirable too to initiate active collecting for identified weaknesses in the existing collections.

Objects that enter the Museum as an incoming loan e.g. borrowed for exhibition or research, should be recorded using the Loan In procedure.

Responsibility

All staff who acquire new Museum collections objects are responsible for following the Acquisition procedure to approve and document the acquisition.

Acquisition evidence checklists

Submission to Syndicate

Documentation required	Donation	Purchase	Bequest
Proof of vendor/ donor's right to transfer title	Required	Required	Required
Proof of vendor/ donor's intention to transfer title	Required	Required	Required
Statement of suitability according to Collections Development Policy	Required	Required	Required
Proof of due diligence research	Required	Required	Required
Projected transport costs	Required	Required	Required

Projected ongoing care and maintenance requirements	Required	Required	Required
Proof of approved funding source(s)		Required	
Statement of possible legal impediment	Required	Required	Required
Statement of conditions applied by vendor/donor	Required	Required	Required

After approval

Documentation required	Donation	Purchase	Bequest
Syndicate minutes confirming approval	Required	Required	Required
Proof of transfer of funds to the vendor		Required	
Proof of Transfer of Title	Required	Required	
Proof of Will (after bequest is actioned)			Required
Proof of request for copyright/ image reproduction right	Required	Required	Required
Accession record in Adlib/ Axiell	Required	Required	Required

Gathering evidence

Identifying and approving funding sources

In the case of purchases the Director in consultation with the relevant Curator(s) and if appropriate the Development Director and Accounts Manager, will identify suitable or potential sources of funding. Purchases made with funds donated by the Friends of the Fitzwilliam are at the discretion of the Director; but in common with all gifts or bequests these too must be accepted by the Syndicate. Sources might be institutions or public bodies, trusts, private companies or galleries, private individuals, estate administrators/executors for deceased individuals.

Proof of right to transfer ownership

The donor/vendor's identity and right to transfer ownership must be clear and recorded. This should state the name and address of the current owner, as well as any agent acting on their behalf. The Due Diligence checklist indicates examples of this proof.

Proof of intention to transfer ownership

The intention of the donor/vendor to transfer ownership must be explicit and recorded. This is ultimately in the form of the Transfer of Title document, and until this is complete a written offer stating the intention to sell or donate is suitable.

Statement of suitability according to Collections Development Policy

The case for acquisition must be framed in terms of Collection Development Policy ie. demonstrate how it enhances the collection and how it will be used. This should be stated by the proposing Curator in the submission to the Syndicate.

Proof of due diligence

Evidence of the due diligence work on object provenance undertaken must be presented to the Syndicate as part of the justification. This should take the form of a completed Due Diligence checklist.

Projected care and maintenance requirements

Consider the current and projected needs of the object(s) in terms of condition assessment, conservation, transport and storage and associated costs will be accounted for, along with the curatorial capacity required to undertake cataloguing and research. This should be stated by the proposing Curator in the submission to the Syndicate, with an assessment of condition undertaken by Conservation. Should an artistically or historically exceptional object have problems with its condition, it should also be considered whether the acquisition could come with an endowment towards treatment and care, or perhaps another particular activity such as support for a publication, piece of research, or a loan.

Projected transport costs

Identify where the object is currently located, and how it will be transferred to the Museum on acquisition. If the object(s) require transportation to the Museum, the proposing Curator should provide an estimate from an appropriate transport company, or an example of a similar invoice. If no transport costs apply this should also be stated by the proposing Curator in the submission to the Syndicate.

Statement of possible legal impediment

Where a possible legal impediment is known or indicated by research, including import status where applicable, this should be stated by the proposing Curator in the submission to the Syndicate. If no legal impediment applies this should also be stated.

Statement of conditions applied by vendor/ donor

If the donor/vendor wishes to apply any condition to the acquisition, this should be stated by the proposing Curator in the submission to the Syndicate. If no condition applies this should also be stated.

Approving the acquisition

Recommendation

Potential acquisitions that meet the criteria are recommended by Curators/Keepers to the Director, and by the Director to the Syndicate, or in some cases directly by the Director to the Syndicate. The recommendation will include a statement summarising the results of research, and evidence will be appended.

Syndicate decision

The Syndicate bears the responsibility for the final decision, having examined and confirmed the criteria are met. In urgent cases (for example if an item is imminently coming up for auction before the next Syndicate meeting) agreement in principle may be sought by the Director from the Chair of the Syndics, but criteria should still be shown to be met.

Transporting object(s) prior to decision

It should be entirely clear to the donor/vendor that the transport of the object(s) to the Museum for Syndicate inspection is not a guarantee of acceptance; similarly, to avoid unnecessary transport and handling, the Curator should be confident that the criteria are met before calling on the Registrar to bring the object(s) to the Museum. The Syndicate is entirely free to reject the object(s) on inspection and on the basis of critical interpretation of the evidence presented.

Completing the acquisition

Transfer of Title

The Acquisition procedure and issue of Transfer of Title should be initiated only when the relevant Syndicate minutes have been produced and circulated. The Transfer of Title document should be sent with a cover letter from the Director expressing the formal thanks of the Syndicate. For purchases, the ownership is transferred at point of agreement under Sales of Goods act, and is supported by the invoice/ receipt/ declaration of funding source – Transfer of Title may be also obtained for assurance.

Copyright/ image rights

Request full copyright or reproduction/ image rights to the acquisition, following the Rights procedure and with support of the Image Library team.

Entry

Follow the Entry procedure to record the transport/ delivery of the object to the Museum.

Documenting the acquisition

All acquisition paperwork or digital documentation should be filed with the Registrar or within the department's secure document storage.

The Curator/ Keeper should make appropriate accession record(s) for the object(s) in the Museum's Collections Management System (Adlib/ Axiell Collections).

Minimum data standard

Summary

All of these fields are available on the *Adlib Acquisition* tab and *Object history* tab. Fields marked * are a minimum requirement for Spectrum. Other fields should be completed if the information is relevant.

	Field name	Use
*	Inventory fields	Follow the Inventory procedure to populate all basic accountability fields.
*	Acquisition method	How the object was formally transferred into the Museum's care - for example given, bought or bequeathed.
*	Acquisition source	The donor or vendor.
*	Acquisition date	Date on which the title to the object was transferred to the Museum.
*	Acquisition reason	Reason or justification for this acquisition.
	Credit line	What text should be displayed (online or in display texts) to acknowledge the donor or lender of this object.
	Acquisition condition	If there were any provisos applied to the transfer of title you must record them here so that they can be observed.
	Provenance note	The history of the object – previous owners, sales or transfers, notable events.
	Previous owners	If relevant, use the Previous owners fields, including notes, to add information about why the object was significant to those owners.

Additional information about the object

If you know more information about the object than is listed in the minimum data standard, record it! Detailed Adlib records enable us to make the best possible use of the museum collections. The Cataloguing procedure defines the types of information that can make our collections data more useful and accessible.

Supporting information and FAQs

Bequests

An acquisition source may approach the Museum to confirm a bequest directly in their lifetime. In such cases the pre-approval procedure applies, but instead of the issue of a Transfer of Title document after the agreement of the Syndicate, the donor is instructed to insert approved wording into their Will to ensure an unambiguous offer of only the approved object(s) when the Will comes into force. The records should then be retained under the testator's name until contact is initiated by the Executors, when the acquisition can be notified to the Syndicate and the permanent transfer completed.

Unsolicited bequests

Unsolicited bequests will be considered under the pre-approval conditions, but where rejected for the permanent collection the Syndicate may instruct that negotiations may

be undertaken with the Executors to agree a sale of the objects with the proceeds donated to the Museum.

Change of intention

Should a donor have a last-minute change of heart and decide to commute an outright gift transfer of title to an offer of a long-term loan, the offer should be sent back to the Syndicate to be reconsidered on its new basis.

Can I make a record in Adlib before the Syndicate approves the acquisition?

Yes, especially if the object has already arrived at the Museum, so that we can monitor its location and identity on our premises (also refer to the Entry procedure). If the acquisition is not approved, change the Acquisition method on the Adlib record to “not approved”.

Return an item to its owner

If an object has been deposited at the Museum, that is then not approved for acquisition, it should be returned to the owner or their agent using the same secure method by which it was delivered (or equivalent, or better).

Follow the Exit procedure to record the object’s departure from the Museum.

Object owner is not known/ unsolicited donation

If the object was deposited at the Museum as an anonymous donation, record it using the Entry procedure.

Complete due diligence research to establish where it has come from and decide whether it may be acquired based on permission or risk analysis, then follow the steps for approval. If it is not proposed or approved for acquisition, follow the Deaccession & Disposal procedure.

If the object was discovered at the Museum with unknown origin, first check Adlib and departmental filing to see if it is a Museum object that has not been numbered or labelled. If you cannot establish that it has already been acquired by the Museum, then complete due diligence research to establish where it has come from and decide whether it may be acquired based on permission or risk analysis, then follow the steps for approval. If it is not proposed or approved for acquisition, follow the Deaccession & Disposal procedure.

Where are the accession registers?

Adlib is the Museum’s primary accession register. It is backed up in digital format and is access-controlled. If you wish to also hold a paper copy of an accession register, file it securely in your department. Adlib data can be formatted into a print-ready accession register using export templates.

What’s the difference between Acquisition and Accession?

Accession means the object is formally approved to be part of the permanent collection, and that we keep a tamperproof record of the object, which is its Adlib record and related backups. Acquisition is transferring ownership of an object to the Museum, through donation or purchase. An item cannot be accessioned that has not been approved and documented for acquisition.

Can something be acquired but not accessioned?

Yes – if an object is donated or bought for short-term use, for example to use in an exhibition or season. In this case, complete the Acquisition procedure as normal, stating this intent, and later follow the Deaccession & Disposal procedure to record that the object was not retained in the collection.

Related procedures

Refer to the Entry, Inventory and Location Control procedures, Labelling & Marking guidelines, Copyright procedure and Due Diligence guidance.

Resources

Museums Association Code of Ethics:

<https://www.museumsassociation.org/ethics/code-of-ethics>

More information about Spectrum Procedures here:

<https://collectionstrust.org.uk/spectrum/>

More information about Acquisition & Accessioning here:

<https://collectionstrust.org.uk/spectrum/procedures/acquisition-and-accessioning-spectrum-5-0/>

Items to merge into the Acquisition/ Collections Development Policy

Relevant legislation

The museum will not acquire any object or specimen unless it is satisfied that the object or specimen has not been acquired in, or exported from, its country of origin (or any intermediate country in which it may have been legally owned) in violation of that country's laws. The museum will REJECT any objects that bear a significant risk of having been traded illicitly, or where troubling and suspicious gaps in provenance exist. Evidence of the due diligence work on object provenance undertaken must be presented to the Syndicate as part of the justification. 'Country of origin' includes the United Kingdom, and relevant laws and international treaty obligations include:

- The 2018 Ivory Act;
- HMRC import declarations;
- The UNESCO 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, which the UK ratified with effect from November 1 2002, and is regulated by national guidance on the responsible acquisition of cultural property issued by the Department for Culture, Media and Sport in 2005.
- The Dealing in Cultural Objects (Offences) Act 2003;
- Sale of Goods Act 1979
- Anti Money-Laundering Directive 5, 2019

Principles

1. All acquisitions including purchases must be authorised in advance by the Syndicate;

2. Basic criteria including due diligence related to the object's ownership and provenance must be met before a potential acquisition is submitted to the Syndicate;
3. All acquisitions must be completed by a Transfer of Title document and/or proof of transfer of funds to confirm the legal change of ownership;
4. Where possible the acquisition must be made with full copyright or reproduction/image rights.