

BROKEN HILL REGIONAL ART GALLERY COLLECTION MANAGEMENT POLICY

QUALITY CONTROL			
TRIM REFERENCES	D20/17607 – 12/114		
RESPONSIBLE POSITION	Gallery and Museum Manager		
APPROVED BY	Council		
REVIEW DATE	July 2024	REVISION NUMBER	1
EFFECTIVE DATE	ACTION	MINUTE NUMBER	
27/05/2020	Public Exhibition	46260	
29/07/2020	Adoption	46308	

1. INTRODUCTION

This document is a statement of policy for the development and management of the Broken Hill Regional Art Gallery (BHRAG) Collection and supports BHRAG's mission:

- to develop and maintain a visual art collection of local, state and national significance, with an emphasis on artists who have an important connection to Broken Hill and the Far West Region of NSW; and
- to collect and commission selectively works of art that contribute to BHRAG's exhibition program, enhance the building and grounds and foster an understanding, enjoyment and appreciation of the visual arts among the community.

2. POLICY OBJECTIVE

The Broken Hill Regional Art Gallery Collection Management Policy demonstrates Council's commitment to the enjoyment, study, patronage and advancement of the visual arts and the preservation and documentation of art relating to the Broken Hill and wider region for future generations. The policy objective is to ensure a suitable and appropriate framework is in place for the collecting activities and collection management of BHRAG. To detail the guidelines and processes for the acquisition, management and deaccessioning of all artworks for the Broken Hill Regional Art Gallery.

3. POLICY SCOPE

The BHRAG Collection is the official art collection of Broken Hill City Council and the works of the Collection fall under the direct care and control of Broken Hill Regional Art Gallery.

The Broken Hill Regional Art Gallery Collection Policy is applicable to the Broken Hill Regional Art Gallery Collection only. It does not apply to other cultural materials collected by Council including local studies/archives/museum items or general decorative items or artworks owned, managed

and displayed by other organisational units of Broken Hill City Council. This policy is also separate to Council's Acquisition and Loan of Objects Relating to Cultural Heritage Policy.

4. POLICY STATEMENT

The BHRAG Art Collection is primarily based on the following objectives to:

- Develop and maintain a visual art collection of local, state and national significance and repute that reflects the cultural aspirations of Broken Hill Regional Art Gallery and its expressed objectives, goals and policies.
- To ensure an appropriate, industry-standard collection management framework is in place and that the BHRAG Collection is managed in an ethical, responsible and accountable manner.
- To provide guidelines for collection management processes including acquisition, cataloguing, deaccessioning and storage of artworks.
- To ensure rigorous, accountable and transparent standards are applied in the research, consideration, assessment and negotiation of acquisitions and that acquisitions are considered and approved in accordance with established delegated authority.
- To enable the BHRAG Collection to be preserved and protected as far as possible from damage resulting from adverse environmental conditions, the passage of time and/or individual human whim.
- To protect the Gallery from directly or indirectly validating, endorsing or providing an incentive to the illegal or unethical trade in cultural material.

5. GUIDELINES FOR ACQUISITION

5.1 Types of artwork collected

- Drawings, Paintings and Prints
- Sculptures
- Textile and Fibre Art
- Decorative Arts, including Ceramics
- Photographs
- Multi-media (new media) works
- Mixed media works

5.2 Time period

Both historical and contemporary artworks shall be collected.

5.3 Region

The BHRAG collection is not strictly limited by geographical region, however wherever possible the Gallery shall acquire works of excellence that relate to the culture and heritage of Broken Hill, surrounding districts and/or inland Australia.

5.4 Legal Title

The BHRAG shall not acquire any item, unless valid title can be acquired for that item.

5.5 Conditional Acquisitions

As a general rule, the Gallery does not accept acquisitions that carry restrictions or conditions and donors and sellers of works of art are expected to relinquish all proprietary rights to the work other than copyright.

6. METHODS OF ACQUISITION

Artworks shall be acquired through the following methods:

- Donation (including gifts, bequests and donation through Cultural Gifts Program);
- Purchase (including Commissions);
- Acquisition of the winner of the Pro Hart Outback Art Prize; or
- Any other transaction by which legal title to an artwork passes to BHRAG.

7. ACQUISITION GUIDELINES

Offers of donations, bequests or loans do not warrant automatic inclusion into the BHRAG Collection. The Gallery and Museum Manager will present an Acquisition Assessment for all works of art proposed for acquisition (with the exception of the Pro Hart Outback Art Prize acquisition), to the Broken Hill Regional Art Gallery Advisory Committee (referred to hereafter as the BHRAG Advisory Committee) for consideration.

Applications under the Cultural Gifts Program of the Commonwealth Government will be reviewed by the Gallery and Museum Manager in consultation with the BHRAG Advisory Committee, who will reserve the right to seek the advice of professional arts consultants in assessing the significance and value of proposed donations.

Conflicts of Interest – members of the BHRAG Advisory Committee must declare any conflict of interest in a potential acquisition and this conflict must be minuted and actively managed within Council's Code of Conduct Policy.

8. ACQUISITION APPROVALS PROCESS

The following three step authorisation process will be used in the approval of acquisitions to the Gallery's collection:

1. ASSESSMENT

The Gallery and Museum Manager in conjunction with the BHRAG Advisory Committee and/or professional arts consultant/s shall assess all Acquisition Proposals and make considered recommendations to accept or refuse artworks. Proposed acquisitions will be assessed on their merit taking into account BHRAG's objectives and the Acquisition Selection Criteria outlined in this document.

2. RECOMMENDATION/s

Recommendation/s for acquisitions to the Collection shall be approved by the Gallery and Museum Manager who has delegated authority to approve Acquisitions within established delegation limits. All proposed Acquisitions with a purchase price over the Gallery and Museum Manager's delegation must be approved by the General Manager (with the exception of the Pro Hart Outback Art Prize acquisition).

Prior to the decision being made with respect to a proposed acquisition either by the Gallery and Museum Manger or the General Manager, as the case may be, a formal minute of the BHRAG Advisory Committee's recommendation, signed by the Chair of the BHRAG Advisory Committee, shall accompany the recommendation and decision papers, thereby becoming a formal part of the record.

3. APPROVAL

Following the appropriate recommendations listed above, the minutes of the BHRAG Advisory Committee detailing the endorsed acquisitions will be presented to Council for final adoption/approval/endorsement.

9. ACQUISITION SELECTION CRITERIA

The Broken Hill Regional Art Gallery shall aim to acquire works that meet the following criteria:

9.1 Artistic merit and reputation

- The artist is an exemplary, prominent, influential and/or renowned Australian artist and acquisition of the artwork will enhance the overall quality of the Collection.
- The work is of outstanding artistic merit and rates highly in terms of aesthetic, cultural, spiritual and/or historical significance.
- The artwork rates highly in terms of national, state or regional significance.

9.2 Linkage to existing collection

The proposed acquisition would strengthen the Collection by:

- Adding to major existing areas of representation, thus enabling the Gallery to expand upon a theme or to interpret the development of an artist's career or skills; or
- Addressing areas currently under-represented in the Collection.

9.3 Interpretive potential

Does the artwork offer opportunities to interpret a variety of themes and therefore contribute to a range of exhibitions and public programmes?

9.4 Connection to geographic region

Wherever possible the Gallery shall collect works of excellence that relate to the culture and heritage of Broken Hill, the surrounding districts and inland Australia.

The Gallery shall collect works by local artists whose works reflect a commitment to the development of their skills and talents.

9.5 Aboriginal artworks

The proposed acquisition would:

- Contribute to the diversity of the Gallery's Aboriginal collection; or
- Reflect the cultural development of Aboriginal art in the Far West Region.

Note: Some Aboriginal and Torres Strait Islander art is sacred and restricted. The Gallery will only collect works intended for public display or approved for display in consultation with appropriate Aboriginal groups.

9.6 Legal Title

As a general principle, the Gallery will not acquire a work of art through any means or methods, unless it can acquire clear and valid transfer of ownership documentation.

9.7 Provenance and authenticity

Is documentation available to confirm ownership, authenticity and provenance of the artwork? To safeguard the integrity of the Collection it is critical that, prior to acquiring an artwork, due diligence is undertaken in researching and ascertaining its ownership, provenance and authenticity.

In addition, every effort should be made to acquire reference resources and significant material relating to artworks to support research into the collection and potential future exhibitions.

9.8 Condition, size and ongoing care

- What is the size of the artwork? Could it put undue strain on BHRAG's current and future storage and exhibition resources?
- What is the condition of the artwork? Will it require extensive and/or expensive conservation work prior to display and/or ongoing conservation maintenance?
- Would the artwork pose any issues in relation to workplace health and safety?

10. OUTWARD AND INWARD LOANS

- The Gallery will enter into Inward or Outward Loans for a fixed period only, which will be agreed between all parties and which can be extended by mutual agreement.
- The Gallery and Museum Manager will approve all Inward and Outward Loans.
- No object will be Loaned by the Gallery unless the safety of the object is assured and adequate security, environmental conditions and standards of care are evident.
- For both Inward and Outward Loans, it is expected that the Borrower will exercise the same standard of care for borrowed works of art as it does for its own collection in accordance with established procedures and professional gallery standards.
- Outward Loans are subject to the borrower agreeing to the conditions specified in the Broken Hill Regional Art Gallery Outward Loan Agreement.
- All costs associated with Outward Loans will be the responsibility of the borrower. These costs will include transport and insurance.
- The Gallery will endeavour to accommodate Outward Loan requests, however, reserves the right to locate works in the Collection where deemed appropriate.
- Inward Loans are temporary transfers of external collection items to the Gallery for the purposes of display. They can consist of items borrowed from:
 - Individuals;
 - community groups or; and
 - other institutions.
- The Gallery will only borrow works of art where it is confident that:
 - a) the Lender is reputable;
 - b) the Owner(s) hold valid Title to the work;
 - c) where the Lender is not the sole Owner, the Lender has the legal authority to enter into the Loan either:
 - i. on behalf of the Owner and/or co-Owners as an agent or representative; or
 - ii. as the party who would reasonably be expected to have possession, custody or control of the work of art for the period of the Loan, were that arrangement not in place.
- Generally, works of art in the private collections of Gallery staff will not be accepted for inward loan.

11. DEACCESSIONING AND DISPOSAL

To maintain and safeguard standards and to refine and improve the Collection, BHRAG is committed to periodic reviews to assess items that could potentially be deaccessioned.

Deaccessioning is the process of de-registering an item from a collection for clearly stated reasons and disposing of it in accordance with approved policies and procedures. It is a very important collections management activity.

A formal approvals procedure for deaccessioning objects for the collection is listed over.

11.1 DEACCESSIONING APPROVALS PROCESS

The following three step authorisation will be used in the de-accessioning approval of to the Gallery's collection:

1. ASSESSMENT

The process of de-accessioning and disposal of an artwork is initiated and undertaken by the Gallery and Museum Manager (in consultation with an independent art specialist). The Gallery and Museum Manager will prepare a report taking into account the deaccessioning selection criteria and detailing independent specialist advice.

2. RECOMMENDATION/s

The Gallery and Museum Manager in consultation of the BHRAG Advisory Committee will be responsible for proposing the de-accessioning of art works from the Collection, as and when appropriate.

Prior to the decision being made with respect to a de-accessioning or disposal from the Collection, a formal minute of the BHRAG Advisory Committee's recommendation, signed by the Chair of the BHRAG Advisory Committee, shall accompany the recommendation and decision papers, thereby becoming a formal part of the record.

3. APPROVAL

Following the appropriate recommendations listed above, the minutes of the BHRAG Advisory Committee detailing the endorsed de-accessioning or disposal will be presented to Council for final decision.

11.2 DEACCESSIONING SELECTION CRITERIA

The Gallery will exercise care and caution in evaluating the merit of an artwork when it is considered for deaccession and disposal. Some of the reasons the Gallery will consider deaccession include:

- A collections policy has been developed or revised since the artwork was acquired and the collecting focus has consequently been refined or altered;
- The significance and aesthetic merit of the artwork falls substantially below the general level of the Collection;
- The artwork is a non-essential duplicate of a work already held in the Collection;
- The artwork has been lost or stolen;
- The artwork has been damaged or has deteriorated over time and the costs of conservation outweigh its value to the Collection;
- The artwork can no longer be suitably stored due to its size or special climate requirements;
- Repatriation of cultural material i.e. the object is to be returned to the Aboriginal, Torres Strait or other community group from which it came;
- The original owner/donor's relative has proven legal title to it; or
- The work is subject to legislation which prevents the Gallery displaying it or having title to it.

11.3 Disposal

Disposal of an artwork shall be undertaken, after Council approval, in a manner considered most appropriate to the Collection and to the future of the work. Works identified for disposal will be valued by a recognised valuer and will be managed in the following priority order:

- a) to donor of the work (donation);
- b) to the artist of the work (donation);
- c) to another public gallery or collection (only public or non-profit institutions/organisations may receive the gift of a de-accessioned work);
- d) through an auction house; or
- e) destroying the material by physical destruction if beyond preservation.

Any proceeds gained from the disposal of a work will be utilised solely for acquisition and the ongoing care and management of the Collection.

Every effort will be made to notify any living donor whose gift has been approved for deaccessioning prior to disposal.

No individual who is an employee of Council or their family member; or a member of the Art Gallery Advisory Committee or their family member; or Elected Member of Council or their family member shall receive deaccessioned material from the Collection.

11.4 Records of Deaccessioned Artworks

All records of deaccessioned artwork and the circumstances of its deaccessioning and disposal will be marked clearly and kept on file for future reference.

The Accession Number of a deaccessioned artwork shall not be re-used, and their accession number not reused.

12. COLLECTION RECORD KEEPING

The Collection shall be managed according to industry-standards and practices in relation to documentation and record-keeping procedures.

- A Collection Management System (CMS) shall be maintained as a central catalogue in which all relevant details of individual artworks are recorded including accession number, title, artist, photograph, description, and condition and provenance details.
- Paperwork shall be completed and retained in relation to all acquisitions including:
 - Deed of Gift, Cultural Gift or Deed of Purchase documents;
 - Acquisition Assessments;
 - Condition Reports;
 - Statements of Significance; and
 - Legal paperwork relating to copyright and/or restrictions on use of artwork.
- Collection audits and condition reporting shall be undertaken by qualified staff at least once every four years.

13. COLLECTION DISPLAY, HANDLING AND STORAGE

- The BHRAG Collection shall be conserved in accordance with accepted contemporary national practice and standards applicable to the safe and appropriate storage, management and handling of artworks.
- Gallery staff shall be given appropriate training in handling artworks.
- All preventative conservation measures shall be taken by those handling, storing and displaying artworks.
- Environmental conditions in artwork storage and display areas shall be monitored and managed according to industry standards, including temperature, humidity, light levels and pest control (See point 15: Associated Documents).

- Artworks shall not be displayed in environmental conditions or for periods of time that will result in the deterioration of the artwork.
- Conservation works and treatments will only be performed by a qualified professional Conservator.
- Unless on display, all works of art will be stored in an environmentally controlled and secure Art Store.
- The BHRAG shall provide as secure an environment as possible for the storage, transportation and display of the Art Collection.

13. IMPLEMENTATION

The Gallery and Museum Manager is primarily responsible for the implementation and the adherence to this policy.

Council employees shall refrain from personal activities that would conflict with proper execution and management of Council's Art Gallery Collection Policy.

Gallery staff or BHRAG Advisory Committee members purchasing work for their own private collections must ensure their interests do not conflict with the interests of BHRAG in the process of acquisition. Council's Code of Conduct provides guidance for recognising and disclosing any conflicts of interest.

14. COMMUNICATION

This Policy will be communicated to the community and staff in accordance with Council's Policy, Procedure and Process Framework and Council's Business Paper process. Following adoption by Council the Policy will be made available on Council's website.

15. ASSOCIATED DOCUMENTS

The following documentation is to be read in conjunction with this policy:

- Broken Hill Regional Art Gallery Exhibitions Policy
- Broken Hill Public Art Policy
- Australian Institute for Conservation of Cultural Materials (AICCM) Environmental Guidelines: <https://aiccm.org.au/about/who-we-are/advocacy/environmental-guidelines-australian-cultural-heritage-collections>
- National Standards for Australian Museums & Galleries (V1.5, 2016): http://www.magsq.com.au/_dbase_upl/NSFAMG_v1.5_2016.pdf

16. REVIEW

Review of this policy will incorporate relevant legislation, documentation released from relevant state agencies and best practice guidelines.

The standard review period will be within each term of Council following the Local Government Elections, or as required to ensure that it meets legislation requirements and the needs of the community and Council.

The responsible Council officer will be notified of the review requirements three months prior to the expiry of this policy.

The Gallery and Museum Manager is responsible for the review of this policy.

17. LEGISLATIVE AND LEGAL FRAMEWORK

This policy is to be read in conjunction with the following:

- *Local Government Act 1993.*
- With any related planning controls, codes of practice, and relevant internal procedures.

18. DEFINITIONS

- **Art Gallery or the Gallery** means Broken Hill Regional Art Gallery (BHRAG).
- **Accession:** the process of assigning a unique number to an artwork and recording all relevant details in a collection catalogue.
- **Acquisition:** the act of gaining physical possession of an artwork and of transferring title or ownership from the providing source to the Gallery.
- **Authentication:** to determine as a genuine product of a particular person, region or time.
- **Bequest:** the bestowal by will of privately-owned cultural items to the Gallery.
- **Cataloguing:** assigning an object to an established classification system and initiating a record of the nomenclature, provenance, number, and location of that object in the collection storage area.
- **Clear title:** legal ownership without restrictions or conditions.
- **Collection:** Cultural Material for which the BHRAG is the custodian.
- **The BHRAG Advisory Committee:** The Broken Hill Regional Art Gallery Advisory Committee is a 355 committee endorsed by the Broken Hill City Council.
- **Conservation:** the processes for preserving and protecting objects from loss, decay, damage, or other forms of deterioration and of repairing.
- **Copyright:** statutory and automatic legal right to print, publish, perform, film or record material.
- **Cultural heritage:** a tradition, habit, skill, art form, or institution that is passed from one generation to the next.
- **Cultural property:** the material manifestation of the concepts, habits, skills, art, or institutions of a specific people in a defined period of time.
- **Deaccession/disposal:** the process of removing objects from a Gallery's collections.
- **Deed of gift:** a document with the signature of the donor transferring title of an object to a Gallery.
- **Deed of purchase:** a document with the signature of the owner transferring title of an object to a Gallery.
- **Interpretation:** the act or process of explaining or clarifying translating or presenting a personal understanding about an object.
- **Inventory:** an itemised list of the objects included in a Gallery's collection.
- **Loans:** collection objects which have been or are intended to be transferred temporarily to a stated destination outside the Gallery (outward loans), or, alternatively, objects which have been or are intended to be transferred to the Gallery from elsewhere (inward loans). The transfers are undertaken for a stated purpose (for example, a temporary exhibition) and for a stated period of time and do not involve a change of ownership.
- **Preventive conservation:** collection care to minimise conditions which may cause damage.
- **Provenance:** derivation or origin of an object.