



COLLECTIONS DEVELOPMENT (ACQUISITION AND DISPOSAL) POLICY

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Introduction

This is the policy statement regulating the acquisition and disposal of items for the collections of The Black Watch Castle & Museum (hereafter referred to as the Museum). The adoption and implementation of such a policy by the Trustees of The Black Watch Museum (hereafter referred to as the Trustees) is a requirement of the Accreditation Scheme for Museums in the UK.

This document should be read in conjunction with the other policy and advice documents of the Museum.

The Acquisition and Disposal Policy will be published and reviewed at least once every five years. The date when the policy is next due for review is noted on the front cover.

Museums Galleries Scotland will be notified of any changes to the acquisition and disposal policy, and the implications of any such changes for the future of existing collections.

Policy

- Business Forward Plan
- Collections Development Policy
- Documentation Policy
- Collections Care and Conservation Policy

Advice

- Documentation Plan
- Collections Care Manual
- Rescue Plan

1. Museum's statement of purpose

Mission Statement

To sustain the Home of The Black Watch

Vision Statement

Using the Black Watch values of integrity, team spirit and loyalty, we aim to be acknowledged as a leading Scottish visitor centre and recognised as having a reputation for world class service and quality in all aspects of customer service.

By definition, the museum has a long-term purpose and holds collections in trust for the benefit of the public in relation to its stated objectives. The Museum therefore accepts the principle that sound curatorial reasons must be established before consideration is given to any acquisition to the collection, or the disposal of any items in the museum's collection.

The museum recognises its responsibility, when acquiring additions to its collections, to ensure that care of collections, documentation arrangements and use of collections will meet the requirements of the Museum Accreditation Standard. This includes using SPECTRUM primary procedures for collections management. It will take into account limitations on collecting imposed by such factors as staffing, storage and care of collection arrangements.

The museum will not undertake disposal motivated principally by financial reasons.

2. An overview of the current collections

Objects refers to both records and artefacts.

Collections refers to both the archive and museum collections

The Museum Collections contain:

- Paintings and prints
- Medals and decorations awarded to members of the Regiment
- Uniforms and accoutrements of The Black Watch
- Colours, pipe banners, flags associated with the Regiment
- Trophies, weapons, silver and miscellaneous items
- Archived material

The collecting area for the Museum is not defined geographically. Material will be acquired on the basis of a proven connection with The Black Watch. The collections will therefore consist of items (including digital media) relating to The Black Watch Regiment (Regular, Territorial, affiliated, volunteer and militia) and Battalion (3SCOTS), and its history. This can include:

- Items owned by, or used by, members of the Regiment/Battalion or their immediate families
 - and originating in the traditional recruiting areas for the Regiment
 - or originating in the areas where the Regiment/Battalion or members of the Regiment/Battalion have been stationed for peacetime training or operations
 - or originating from Theatres of War in which the Regiment/Battalion or members of the Regiment/Battalion have been present.

3. Themes and priorities for future collecting

The Museum will continue to add to its collections in order to represent the history of the Black Watch. The collections is likely to continue to develop via regular donations however purchase of objects will be made in exceptional circumstances.

From 2019 the Museum will take a particular interest in acquiring items relating to:

- the post-1945 era
- the Napoleonic period, including Quatre Bras and Waterloo
- continued acquisition of unique archives and objects relating to the service of individual members of the Black Watch

4. Themes and priorities for rationalisation and disposal

Disposal of items held in the Museum collections will only be considered where the items in question represent unnecessary duplication, are in such poor physical condition as to be of no value for research or display purposes, or fall clearly outwith the stated collecting areas of this policy.

The principles on which priorities for rationalisation and disposal are determined will be through a formal review process that identifies which collections are included and excluded from the review. The outcome of review and any subsequent rationalisation will not reduce the quality or significance of the collection and will result in a more useable, well managed collection

Where any rationalisation takes place, the procedures used will meet professional standards. The process will be documented, open and transparent. There will be clear communication with key stakeholders about the outcomes and the process.

5. Legal and ethical framework for acquisition and disposal of items

The Museum recognises its responsibility to work within the parameters of the Museum Association Code of Ethics when considering acquisition and disposal. This is available to download here,

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

A hard copy of the Code of Ethics will be stored with the Collections Development Policy.

6. Limitations on collecting

The Museum 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 staffing, storage and care of collection arrangements.

7. Collecting policies of other museums

The Museum will take account of the collecting policies of other museums, archives and other 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 specialisations, in order to avoid unnecessary duplication and waste of resources.

Specific reference is made to the following organisations:

- The Royal Regiment of Scotland Museum¹
- National War Museum of Scotland
- National Archives of Scotland

8. 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.

9. Acquisition procedures²

- a. The museum recognises its responsibility, in acquiring additions to the University's museum collections, to ensure that care of the collections,

¹ See *Appendix 2 - Collecting Policy regarding post-2006 items from The Black Watch Battalion*

² See *Appendix 3 – Acquisition funding guidelines for Museum staff*

documentation arrangements and use of the collections will meet the requirements of the Accreditation Standard. It will take into account limitations on collecting imposed by such factors as staffing, storage and care of collection arrangements.

For most acquisitions, the Curator is empowered to take decisions on behalf of the University. Where the acquisition of any item would result in significant financial implications in respect of storage, conservation or display, the matter will be referred to the Museum Advisory Committee in the first instance and then if necessary to the University Court for decision.

- b. Proposals for acquisitions must have regard to
 - (a) the state of the objects to be acquired;
 - (b) the availability of adequate accommodation, staff and facilities for conservation;
 - (c) the relevance of the objects to the subject areas listed above;
 - (d) the desirability of avoiding duplication of similar objects already held in local museums
- c. The museum 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 can acquire a valid title to the item in question.
- d. In particular, 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. (For the purposes of this paragraph 'country of origin' includes the United Kingdom).
- e. 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 November 1 2002, 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 and Sport in 2005.
- f. So far as biological and geological material is concerned, the museum 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.

- g. The museum 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 Scotland, under the laws of bona vacantia including Treasure Trove, the Crown has title to all ownerless objects including antiquities. Scottish archaeological material cannot therefore be legally acquired by means other than by allocation to [museum name] by the Crown. Where the Crown chooses to forego its title to a portable antiquity, a Curator or other responsible person acting on behalf of the *(name of governing body)*, can establish that valid title to the item in question has been acquired by ensuring that a certificate of 'No Claim' has been issued on behalf of the Crown.

- h. 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. The museum does not hold or intend to acquire any human remains.

10. Spoliation

The museum 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.

11. The Repatriation and Restitution of objects and human remains

The museum's governing body, acting on the advice of the museum's professional staff, if any, 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.

12. Management of archives

As the museum holds to acquire 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).

13. Disposal procedures

Disposal preliminaries

- a. The governing body will ensure that the disposal process is carried out openly and with transparency and that all disposals will be undertaken with reference to the SPECTRUM Primary Procedures on disposal
- 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 items 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 below will be followed and the method of disposal may be by gift, sale, exchange or as a last resort - destruction.

The disposal decision-making process

- f. 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.

Responsibility for disposal decision-making

- g. 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.

Disposal by gift or sale

- h. 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.
- i. 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.
- j. 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.
- k. Any monies received by the University Court from the disposal of items will be applied solely and directly 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 Museums Galleries Scotland.

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 deaccession and disposal.

Appendix 1 – Glossary

The **Museum** is defined as those premises, staff and collections of original material which may from time to time be under the control of The Black Watch Museum Trust. At the time of adoption of this Policy, this principally encompasses Balhousie Castle.

The **Collections** includes both the archive and museum collections. They are defined as any item entered in the Accession Registers of the Museum, whether as gift, or purchase, together with any item not entered in the Accession Registers, but in the possession of the Museum at the time of the adoption of this policy, which was donated or purchased with the intention that it should become part of the Collections.

Object refers to both artefacts and records.

Disposal is the permanent removal of an item accessioned into the collection from the ownership of museum's governing body by the process of gift, sale or exchange.

Public domain is represented by organisations which are run by public bodies or operate as charities.

Appendix 2 - Collecting Policy regarding post-2006 items from The Black Watch Battalion

While the main focus the Museum is the history until 2006, the Museum is under an obligation to reflect the history of the Battalion (and any other future descendent); this is part of the Internal Business Agreement with the MoD to continue to receive financial assistance.

All acquisition (whether purchase or donation) of post-2006 items should be processed in consultation with the RRS Museum and 3SCOTS.

The normal situation is that items relating to post-2006 will be acquired by the RRS Museum and loaned to the Museum.

Any items donated to the Museum by serving soldiers must be a personal donation, and should be done in discussion the CO (with permission granted in writing).

With regards to the post-2006 collection currently held by the Museum:

- Items on display should remain part of the Museum collection until further notice.
- Items donated by an individual, rather than a representative of the Battalion, and currently held in store can be lent to the RRS Museum, while making it clear that any loan will be subject to our own plans for the future display of those items.
- Items donated by a representative of the Battalion, rather than an individual, and currently held in store can be transferred to the RRS Museum, while making it clear that any transfer will be subject to our own plans for the future display of those items.

Appendix 3 - Acquisition funding guidelines for Museum staff

Collecting priorities

The Museum will accept items from all periods of history of The Black Watch. In addition, from 2014, the Museum will take a particular interest in acquiring items relating to:

- the post-1945 era
- the Napoleonic period, including Quatre Bras and Waterloo
- continued acquisition of unique archives and objects relating to the service of individual members of the Black Watch

Acquisition by purchase

All acquisitions must be confirmed by the Chief Executive before purchase is made. The Chief Executive may require the Museum to acquire external funding for the purchase of any items.

Restricted funds

The annual budget for the acquisition of small items, and funds for larger items, are funds restricted to acquisitions and cannot be transferred to another area of the budget.