**Executive summary**

1. This Paper seeks the SPCB’s views on the updated Collections Development Policy for the Scottish Parliament Art Collection. The original Acquisition and Disposal Policy was introduced in 2005 and revised in 2010.

**Background**

2. The Policy has been considered and a few changes made to take into account the following –

   - Latest guidelines for Collections Development Policies administered by Arts Council England in partnership with Museums Galleries Scotland. These guidelines take into account the national Accreditation standards for UK museums.

   - In keeping with many other Parliaments, the SPCB decided in 2002 to acquire an Art Collection for display in the new Parliament building ahead of its opening in 2004. The Policy has been reviewed to take into account the current approach 13 years later to maintaining and developing the Collection.

3. Since 2010, the following works have been acquired:

   - Photographic portrait of Her Majesty The Queen by Shaun Murawski (2010)
   - J. H. Muller, Riding of the pre-1707 Scottish Parliament engravings (2011)
   - George Wyllie, Contemplate, Berlin Burd maquette and 3 works on paper (2013)

4. The revised Policy is attached at **Annex A** with the changes summarised in the following paragraphs.

**Approval and Review of Policy**

5. Next review date updated to 1 June 2020.

**Statement of Purpose**

6. Updated to clarify the SPCB’s aims for the Art Collection and an additional area of collecting around parliamentary history (section 1.4).
An overview of current collections

7. This has been slightly updated in view of the overall development of the Art Collection since it was established, as follows:

Definitions moved to end of policy instead of start
Overview of current collections – updated to note some specific strengths of the collection (section 2.0).

Themes and priorities for future collecting

8. There is a change to the period for collecting, updated from the 1960s to the 1990s, as only one painting in the collection dates from the 1960s (sections 3.3 and 3.7). The focus continues to be on acquiring living artists.

9. There continues to be a commitment to collecting well-established artists and significant artworks. Emerging artists will be acquired when there is a clear relevance to the Collection and may be supported through temporary loans or group exhibitions. The SPCB will not try to represent all significant trends in Scottish art history but will focus on creating unique opportunities for artists and craftspeople to respond to Scotland’s history, identity and environment.

Limited edition prints and photographs - this is a new collecting area distinct from the primary Art Collection for display in pass-holder areas only (sections 3.6 and 3.17).

Portraiture – there is a change to the sitters that may be acquired, to include well-known Scots, but it is noted that portraiture is not a main focus for the Collection (section 3.13).

Caricature – this section has been clarified and there are no plans to commission further caricatures of office-holders (section 3.14).

Archives – this has been clarified as it relates to artists’ archives not wider archive or library material, which is outwith the scope of the Art Collection policy (section 3.16)

Approval for Acquisitions

10. This new section clarifies the current processes for approving acquisitions and recommends the delegation of some authority for budgets to Parliament officials (sections 5.1 to 5.4). In keeping with other organisations, it is proposed the policy delegates responsibility for time-critical purchases, from auction or a new exhibition, to the Clerk/Chief Executive. It also proposes that low-cost works for pass-holder areas being purchased from existing budgets are able to be approved by the Head of Events and Exhibitions.
Approval and Criteria for Loans

11. This section clarifies the existing process and what is currently supported within existing staff and financial resources (section 6.0).

Collecting policies of other institutions

12. This has been expanded to include an additional three Scottish art collections (section 8.2).

Resource Implications

13. There will be some staff and financial resource implications should the SPCB agree to acquire limited edition works for pass-holder areas starting on a small scale. Additional work can be absorbed within current staffing levels and limited additional costs can be met from budgets already allocated to the conservation and maintenance of the Art Collection.

Governance issues

14. The SPCB is the legal owner of the Art Collection on behalf of the Scottish Parliament. The Acquisition and Disposal Policy was first introduced in 2005 to ensure the SPCB takes into account good practice for the governance, care and development of the Art Collection and its legal obligations for holding and developing a Collection.

Publication Scheme

15. The Paper and the Collections Development Policy should be published.

Next steps

16. If the SPCB is content to agree the updated Collection Development Policy, it will be considered effective from the date of this meeting.

17. If any changes are to be made, officials will consult with Museums Galleries Scotland and the policy will be brought back to a future meeting of the SPCB for approval.

Decision

18. The SPCB is asked to consider this Paper and approve the updated Collection Development Policy for publication.

EVENTS AND EXHIBITIONS TEAM
May 2015
Annex A

Collections Development Policy

Name of collection: Scottish Parliament Art Collection

Name of governing body: Scottish Parliamentary Corporate Body (SPCB)

Date on which this policy was approved by governing body:

Date at which this policy is due for review: 1 June 2020

The terms “Scottish Parliament Art Collection” (Art Collection), “Scottish Parliament Corporate Body” (SPCB), “Clerk/Chief Executive”, “Head of Events and Exhibitions” and Art Curator/Exhibitions Manager” are defined in the Appendix to this policy.

1.0 Statement of Purpose

1.1 The SPCB is committed to maintaining and developing the Scottish Parliament Art Collection for display in the Parliament building and making it accessible to the public and building users.

1.2 The SPCB will add to the primary collection from time-to-time when there is an opportunity to acquire significant artworks by Scotland’s artists or makers that complement the existing collection, taking into account the potential for display in the building and costs.

1.3 The SPCB will continue to prioritise art commissioned specially for the Scottish Parliament Art Collection and building.

1.4 The history of the Scottish Parliament and Scotland’s political and parliamentary history will be a theme for future acquisitions, when explored from a non-party political perspective.

2.0 An overview of the current collection

2.1 The principle of having an Art Collection was established by the SPCB in 2002. The then SPCB set up an Art Steering Group of MSPs, external advisers, and consultants Art in Partnership to develop a strategy to establish a Scottish Parliament Art Collection for display in the Parliament building designed by architects EMBT and RMJM. Through a combination of commissioning, purchasing and gifts, a collection was created and installed ahead of the official opening of the building on 9 October 2004.

2.2 The principles of the founding collection were – to acquire from living artists, to showcase the breadth of practice by Scotland’s artists and craftspeople, to acquire significant works representing a key period in an artist’s career, a strong focus on commissioning for a new
Parliament and a new building, including for specific display sites, and acquiring works to complement the design concepts of architect Enric Miralles for the building.

2.3 The selection and commissioning of artworks was guided by a number of key themes: the relationship of people with the land and sea; identity and diversity; the impact of politics and industry on people and place; Scotland’s history.

2.4 The Art Collection is contemporary in scope, representing art made in and since the 1960s until the present day, with the majority of works dating from the 1990s and 2000s. For the founding collection, only works by living artists were acquired.

2.5 There are currently 65 artists and makers represented in the permanent and loan collections and over 230 pieces. The Art Collection comprises paintings, photography, sculpture, installation, mixed media work, textiles and some furnishings by Scotland’s contemporary artists and craftspeople and works by international contemporary artists gifted by other Parliaments or Governments.

2.6 Artists are represented in the collection on the basis of significance to the development of art in Scotland, as opposed to nationality.

2.7 A number of artists and makers were specially commissioned at the time of the opening of Parliament (1999) or the Parliament building (2004) so the works are therefore unique to the Scottish Parliament Art Collection and an important aspect of the history of the institution.

2.8 The collection is particularly strong on representing artists’ exploration of the complex relationships between the natural environment and humanity.

2.9 A number of the acquisitions represent key points in an individual artist’s career and are significant as part of the artist’s representation within public collections in Scotland.

3.0 Themes and priorities for future collecting

3.1 The SPCB will add to the Scottish Parliament Art Collection from time-to-time when there are opportunities to acquire works of art that enhance the existing collection.

3.2 The SPCB will focus on creating opportunities for artists and craftspeople to explore ideas and concerns about Scotland’s environment, history and identity in the unique context of the Scottish Parliament and its role in a devolved Scotland. The architectural setting will also inform the commissioning of any new works.

3.3 The SPCB will collect works by contemporary artists and craftspeople, prioritising work made from the 1990s until the present day, and to acquiring works by living artists and craftspeople.
3.4 The main focus will be on acquiring work from artists whose reputation is already well established, and on acquiring works that represent key aspects of their practice, with some opportunities developed to support emerging talent.

3.5 Artists’ work will be acquired based on their significance and contribution to the development of art in Scotland, not by nationality.

3.6 The SPCB will collect paintings, drawings, photography, sculpture, textiles, mixed media and installation work for its primary collection and limited edition prints and photography for display in pass-holder areas of the building.

3.7 **Painting and Drawing**
The existing Art Collection represents some of Scotland’s leading artists and the SPCB will acquire paintings and drawings of similar quality that showcase the outstanding achievements of Scotland’s painters working from the 1990s to the present day.

3.8 **Photography**
Around one third of the Art Collection currently comprises photographic works, including Polaroid, selenium toned, cibachrome, C-type, black and white and digital works, most of which was specially commissioned for the Art Collection and explore themes of environment or identity. The SPCB will commission or acquire photographic works that demonstrate the breadth and significance of photographic practice in Scotland.

3.9 **Sculpture and Installation**
Scotland’s sculptors are currently only represented through loans to the Art Collection. International sculpture is represented through a number of gifts to the Art Collection from other Parliaments and Governments. The SPCB will acquire sculpture by Scotland’s sculptors. Due to display restrictions, installation work will only be acquired if being commissioned as a permanent site-specific response or if part of a project involving time limited work and where consideration is given to its onward permanent acquisition.

3.10 **Textiles**
Textiles are represented in the Art Collection through commissioned and purchased work and textiles gifted by other Parliaments. The SPCB will commission or acquire textile based work.

3.11 **Video, Film, New Media and Performance**
Due to display, conservation and storage limitations, artworks utilising these media will only be acquired in exceptional circumstances and where there are strong reasons in terms of relevance to the Art Collection and the Scottish Parliament to do so.
3.12 **Artists Books**
Due to storage limitations, artists’ books will not be acquired except in exceptional circumstances.

3.13 **Portraiture**
Portraiture in the Art Collection currently reflects both the identity of the people of Scotland and eminent political figures or office-holders of the Scottish Parliament.

The SPCB will acquire portraiture exploring the diverse identity of the people of Scotland and of figures who have made a significant contribution to Scotland’s politics, history or culture. It will prioritise people who have held office as Members of the Scottish Parliament since its inception in 1999.

Portraiture must be of appropriate artistic quality to be acquired and not based solely on relevant subject matter.

3.14 **Caricature and Political Cartoons**
There are only a small number of caricatures in the collection, of Session One and Two Presiding and Deputy Presiding Officers. Caricature and political cartoons may be acquired in future if they are existing works that have been published, on subjects from 1999 to the present day, and once the subjects are no longer the focus of on-going parliamentary debate or legislation.

3.15 **Parliamentary and Scottish History**
The Art Collection includes a number of works of art that explore themes of Scotland’s history in innovative ways and are not simply representative of particular events or movements. The SPCB will acquire works that reflect or explore the history of the Scottish Parliament or Scotland, but must be acquired on basis of artistic merit not based solely on subject matter.

3.16 **Archives of artists**
Due to storage limitations, the SPCB will not collect any major artist archives unless in partnership with another institution or in exceptional circumstances. It will only actively acquire archive material of artists where it relates to works already represented in or being commissioned for the Art Collection.

3.17 **Limited edition prints and photographs for display in pass-holder areas**
The majority of resources will be focused on art for the primary collection that is publicly accessible or can be viewed on tours. It is recognised that there is also a need for art for pass-holder areas of the building, for which limited edition prints and photography may be collected that meet with the acquisition criteria.

4.0 **Themes and priorities for rationalisation and disposal**

4.1 The Art Collection has been carefully developed over a short period of time. By definition, it has a long-term purpose and holds the works in
trust for the public and future generations of MSPs in relation to its stated objectives. The SPCB’s disposal policy is based on the principle that sound curatorial reasons for disposal must be established before consideration is given to the disposal of any works in the collection.

5.0 Approval for acquisitions

5.1 The Head of Events and Exhibitions will make recommendations for the primary collection to the SPCB following consideration by the Art Curator/Exhibitions Manager. Recommendations are subject to the SPCB’s approval of financial resources for new commissions or purchases except when acquisitions are time critical, for example when works are being acquired at auction or following the opening of an exhibition of new works.

5.2 The Clerk/Chief Executive is able to approve expenditure at auction or from an exhibition of new work.

5.3 Offers of gifts to the Art Collection may be considered and accepted or declined by the Art Curator/Exhibitions Manager. Offers of acquisitions not being progressed may be declined by the Art Curator/Exhibitions Manager. For gifts, any associated costs must be able to be met within existing resources or approved by the Clerk/Chief Executive. Substantial gifts, such as a group of works, must be considered and approved by the SPCB.

5.4 Limited edition prints and photographs recommended by the Art Curator/Exhibitions Manager for pass-holder areas can be approved by the Head of Events and Exhibitions.

6.0 Approval and criteria for loans

Loans can be approved or declined by the Art Curator/Exhibitions Manager. Loaned works must meet the collecting criteria, enhance the permanent Art Collection and displays and associated costs able to be met from existing resources. For loans, artworks dating from the 1860s to the present day will be considered. Any loans for display in the Main Hall must be approved as part of the Major Events and Exhibitions Programme. Loans for the Presiding Officers’ offices will be supported whereas individual MSPs are responsible for any loans to their private offices.

7.0 Limitations on collecting

7.1 The SPCB recognises its responsibility, in acquiring additions to the Art Collection, to ensure that collections can be effectively cared for, managed and governed within the limitations imposed on collecting by factors such as staffing, storage, financial resources and care of collection arrangements.

8.0 Collecting policies of other institutions

8.1 The SPCB will take account of the collecting policies of museums 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 specialisms, in order to avoid unnecessary duplication and waste of resources.

8.2 Specific reference is made to the following organisations:

- National Galleries of Scotland - Scottish National Portrait Gallery
- Scottish National Gallery of Modern Art
- Edinburgh City Art Centre
- House of Commons and House of Lords Collections
- Royal Scottish Academy
- Edinburgh University Art Collections
- University of Stirling Art Collection

9.0 Policy review procedure

9.1 The Collections Development Policy will be published and reviewed from time to time, at least once every five years. The date when the policy is next due for review is noted above.

10.0 Acquisitions not covered by the policy

10.1 Acquisitions outside the current stated policy will only be made in very exceptional circumstances, and then only after proper consideration by the SPCB, having regard to the interests of other collecting organisations.

11.0 Acquisition procedures

11.1 The SPCB will exercise due diligence and make every effort not to acquire, whether by purchase, gift, bequest or exchange, any artwork unless the SPCB (or Art Curator/Exhibitions Manager, under delegated authority) is satisfied that a valid title to the item in question can be acquired.

11.2 In particular, the SPCB will not acquire any artwork unless it is satisfied that the artwork 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).

11.3 In accordance with all relevant legislation, including 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 United Kingdom ratified with effect from November 1 2002, the SPCB will reject any items that have been illicitly traded. The SPCB will be guided by the principles of the Department for Culture, Media and Sport’s Guidance on the responsible acquisition of cultural property issued in 2005.

11.4 The SPCB will not acquire any biological or geological material.
11.5 The SPCB will not acquire any archaeological material.

11.6 Any exceptions to the above clauses will only be because the SPCB is either:

- acting as an externally approved repository of last resort for material of local (United Kingdom) origin; or
- 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; or
- acting with the permission of authorities with the requisite jurisdiction in the country of origin; or
- in possession of reliable documentary evidence that the item was exported from its country of origin before 1970.

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

11.8 The SPCB does not hold or intend to acquire any human remains.

12.0 Spoliation

12.1 The SPCB 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.

13.0 Management of archives

13.1 As the SPCB holds/may acquire limited archive material, including photographs and printed ephemera, it will be guided by the Code of Practice on Archives for Museums and Galleries in the United Kingdom (third edition, 2002).

14.0 Disposal procedures

14.1 The SPCB will ensure that the disposal process is carried out openly and with transparency.

14.2 The SPCB will confirm that it is legally free to dispose of an item. Where the item has been donated, the views of the donor shall be taken into account, but are not binding on the SPCB.

14.3 When disposal of an artwork is being considered, the SPCB 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.

14.4 When disposal is motivated by curatorial reasons the procedures outlined in clauses 14.1 to 14.17 will be followed and the method of disposal may be by gift, sale or exchange.
14.5 The SPCB will not undertake disposal motivated principally by financial reasons.

14.6 The decision to dispose of material from the collections will be taken by the SPCB only after full consideration of the reasons for disposal. Other factors including the public benefit, the reputation of the stewardship of the Collection within the sector, the implications for the Art Collection 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 Scottish Parliament will also be sought.

14.7 A decision to dispose of an artwork, 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 Art Collection or for reasons of health and safety), will be the responsibility of the SPCB acting on the advice of professional curatorial staff, if any, and not of the Art Curator / Exhibitions Manager acting alone.

14.8 Any monies received by the SPCB from the disposal of items will be applied for the benefit of the Art Collection. This normally means the purchase of further acquisitions. In exceptional cases, improvements relating to the care of the Art Collection in order to meet or exceed Accreditation guidelines relating to the risk of damage to and deterioration of the Art Collection 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 the Art Collection will be sought from Museums Galleries Scotland.

14.9 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.

14.10 Once a decision to dispose of material in the Art 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, exchange or sale, directly to Accredited museums likely to be interested in its acquisition.

14.11 If the material is not acquired by any Accredited museums to which it was offered directly as a gift, exchange 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.
14.12 The announcement relating to gift, exchange or sale will indicate the number and nature of artworks involved, and the basis on which the material will be transferred to another institution. Preference will be given to expressions of interest from 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 SPCB may consider disposing of the material to other interested individuals and organisations giving priority to organisations in the public domain.

14.13 The nature of disposal by exchange means that the SPCB will not necessarily be in a position to exchange the material with another Accredited museum. The SPCB will therefore ensure that issues relating to accountability and impartiality are carefully considered to avoid undue influence on its decision-making process.

14.14 In cases where the SPCB wishes for sound curatorial reasons to exchange material directly with Accredited or unaccredited museums, with other organisations or with individuals, the procedures in clause 14 will be followed.

14.15 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.

14.15 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.

14.16 Both the notification and announcement must provide information on the number and nature of the specimens or objects involved both in the Art 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 SPCB must consider the comments before a final decision on the exchange is made.

14.17 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.
Appendix - Definitions

The ‘Scottish Parliament Art Collection’ (referred to as ‘the Art Collection’) is the collections of original contemporary art, gifts of contemporary art and furnishings which are normally displayed in the Scottish Parliament Building and are the property of the ‘Scottish Parliamentary Corporate Body’, held on behalf of the Scottish Parliament. It includes any item entered in the Accession Register and any item donated or purchased with the intention that it should become part of the Art Collection.

‘The Scottish Parliamentary Corporate Body’ (referred to as ‘the SPCB’) is established by section 21 of the Scotland Act 1998, with the function of inter alia providing the Scottish Parliament with property required for its purposes. Any property acquired for such purposes and to which the Scottish Parliament would be entitled belongs to the SPCB.

The ‘Clerk/Chief Executive’ is authorised under paragraph 5 of Schedule 2 to the Scotland Act 1998 to carry out all the day to day functions of the SPCB in order to provide the Parliament, or ensure the Parliament is provided, with the property, staff and services required for the Parliament’s purposes. The Clerk/Chief Executive is the official responsible to the SPCB for time-critical expenditure to acquire works for the primary art collection from auction or new exhibitions.

The ‘Head of Events and Exhibitions’ is responsible for the effective delivery of the Parliament’s events and exhibitions strategy. The Head of Events and Exhibitions is the official responsible to the SPCB for expenditure associated with the purchase of limited edition or photographic prints for pass-holder areas.

The ‘Art Curator/Exhibitions Manager’ is the professional officer responsible to the SPCB for the maintenance of the Art Collection to proper professional standards.