

Scottish Parliamentary Corporate Body Scottish Parliament Art Collection Development Policy

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.

Name of collection: Scottish Parliament Art Collection

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

Date on which this policy was approved by SPCB: 20 May 2015

Policy review procedure: The Scottish Parliament Art Collection Development Policy will be published and reviewed from time to time and at least once every five years. The date when the policy is next due for review is set out below. The SPCB will be notified of and approve any changes to this policy and the implications of any such changes for future collections within the Art Collection.

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

1. Statement of purpose

- 1.1. The SPCB is committed to maintaining and developing the Scottish Parliament Art Collection for display in the Scottish Parliament building and to making it accessible to the public and building users.
- 1.2. The SPCB will add to the primary Art Collection (i.e. that part of the Art Collection that is publicly accessible or can be viewed on tours) from time-to-time when there is an opportunity to acquire significant artworks by Scotland’s artists or makers that complement the existing Art Collection. When doing so, the SPCB will take into account the potential for display in the Scottish Parliament building and the associated costs.
- 1.3. The history of the Scottish Parliament and Scotland’s political and parliamentary history will be a key theme for future collecting when explored from a non-party political perspective.
- 1.4. The SPCB will continue to prioritise art commissioned specially for the Scottish Parliament Art Collection.
- 1.5. The SPCB will ensure that both acquisition and disposal are carried out openly and with transparency.

- 1.6. The Art Collection has been carefully developed over a relatively short period of time. By definition, it has a long-term purpose and holds the works for the benefit of the public and future generations of MSPs in relation to the stated objectives of this policy. The SPCB therefore accepts the principle that sound curatorial reasons for disposal should be established before consideration is given to any acquisition to the Art Collection or the disposal of any works in the Art Collection.
- 1.7. Acquisitions outside the current stated policy will only be made in exceptional cases.
- 1.8. When acquiring works for the Art Collection, the SPCB recognises its responsibility to ensure that the Art Collection can be effectively cared for. It will ensure that the Art Collection is managed and governed within the limitations imposed on collecting by factors such as staffing, storage, financial resources and arrangements for the care of works within the Art Collection.
- 1.9. The SPCB will undertake due diligence and make every effort not to acquire, whether by purchase, gift, bequest, exchange or loan, any object or specimen 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.
- 1.10. The SPCB will not undertake disposal motivated principally by financial reasons.

2. History of the Art 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 and external advisers, including consultants Art in Partnership, to develop a strategy to establish a Scottish Parliament Art Collection for display in the Scottish 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 Scottish Parliament building on 9 October 2004.
- 2.2. The principles of the founding Art Collection were:
 - 2.2.1. to acquire from living artists;
 - 2.2.2. to showcase the breadth of practice by Scotland's artists and craftspeople;
 - 2.2.3. to acquire significant works representing a key period in an artist's career;

- 2.2.4. to have a strong focus on commissioning for a new Scottish Parliament and a new building, including for specific display sites; and
 - 2.2.5. 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:
- 2.3.1. the relationship of people with the land and sea;
 - 2.3.2. identity and diversity;
 - 2.3.3. the impact of politics and industry on people and place; and
 - 2.3.4. Scotland's history.
- 2.4. The Art Collection is contemporary in scope. It represents art made in and since the 1960s until the present day. The majority of works are dated from the 1990s and 2000s. Only works by living artists were acquired for the founding Art Collection.

3. An overview of current collections in the Art Collection

- 3.1. There are currently 230 permanent and loaned pieces of art work from 65 artists and makers represented in the Art Collection. 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.
- 3.2. The Art Collection is particularly strong on representing artists' exploration of the complex relationships between the natural environment and humanity.
- 3.3. Artists are represented in the Art Collection on the basis of significance to the development of art in Scotland, as opposed to nationality. 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.
- 3.4. A number of artists and makers were specially commissioned at the time of the opening of the Scottish Parliament in 1999 and again when the Scottish Parliament building was completed in 2004. The works are

therefore unique to the Scottish Parliament Art Collection and an important aspect of the history of the institution.

4. Themes and priorities for future acquisitions (including loans)

- 4.1. Additions to the Art Collection are the ultimate responsibility of the SPCB. The SPCB will proactively add to the Scottish Parliament Art Collection from time-to-time. This will happen when the SPCB and its representatives have identified opportunities to acquire the best possible works of art of appropriate artistic quality to enhance the existing Art Collection.
- 4.2. 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 of the Scottish Parliament will also inform the commissioning of any new works.
- 4.3. The SPCB will collect works by contemporary artists and craftspeople. It will prioritise works made from the 1990s until the present day and to acquiring works by living artists and craftspeople.
- 4.4. 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. The SPCB will also develop, some opportunities to support emerging talent.
- 4.5. Artists' work will be acquired based on their significance and contribution to the development of art in Scotland.
- 4.6. The SPCB will collect paintings, drawings, photography, sculpture, textiles, mixed media and installation work for its primary Art Collection. The SPCB will collect limited edition prints and photography for display in pass-holder areas (occupied solely by staff) of the Scottish Parliament building.

Painting and drawing

- 4.7. The existing Art Collection represents some of Scotland's leading artists.
- 4.8. 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.

Photography

- 4.9. 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 these works, which were specially commissioned for the Art Collection, explore themes of environment or identity.
- 4.10. The SPCB will commission or acquire photographic works that demonstrate the breadth and significance of photographic practice in Scotland.

Sculpture and installation

- 4.11. 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.
- 4.12. The SPCB will primarily 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. In such circumstances, consideration will be given to its onward permanent acquisition.

Textiles

- 4.13. Textiles are represented in the Art Collection through commissioned and purchased work and textiles gifted by other Parliaments.
- 4.14. The SPCB will commission and/or otherwise acquire textile based work.

Video, film, new media and performance

- 4.15. Due to display, conservation and storage limitations, artworks utilising these media will only be acquired in exceptional circumstances. There must be a strong relevance to the Art Collection and the Scottish Parliament to justify doing so.

Artists books

- 4.16. Due to storage limitations, artists' books will not be acquired except in exceptional circumstances.

Portraiture

- 4.17. 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.
- 4.18. 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.
- 4.19. Portraiture must be of appropriate artistic quality to be acquired and not based solely on relevant subject matter.

Caricature and political cartoons

- 4.20. There are only a small number of caricatures in the Art Collection. These are limited to the Presiding and Deputing Presiding Officers in sessions one and two of the Scottish Parliament. Caricature and political cartoons may be acquired in future:
 - 4.20.1. if they are existing works;
 - 4.20.2. have been published;
 - 4.20.3. on subjects from 1999 to the present day; and
 - 4.20.4. once the subjects are no longer the focus of on-going parliamentary debate or legislation.

Scottish parliamentary and Scottish history

- 4.21. 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. Any such works will be acquired on the basis of artistic merit and not based solely on subject matter.

Archives of artists

- 4.22. Due to storage limitations, the SPCB will not collect any archives of major artists 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.

Limited edition prints and photographs for display in pass-holder areas occupied solely by staff

- 4.23. The majority of resources will be focused on art for the primary Art Collection that is publicly accessible or can be viewed on tours. However, it is recognised that there is also a need for art for the passholder areas of the building occupied solely by staff. For these areas, limited edition prints and photography may be collected that meet with the acquisition criteria set out in this policy.

5. Themes and priorities for rationalisation and disposal

- 5.1. The SPCB does not intend to dispose of collections during the period covered by this policy.

6. Framework for acquisition and disposal of items

- 6.1. To the extent that doing so does not conflict with the SPCB's policies or legal requirements, the SPCB will seek to work within the parameters of the Museum Association Code of Ethics when considering acquisition and disposal.

7. Collecting policies of other institutions

- 7.1. The SPCB will take account of the collecting policies of museums and other organisations collecting in the same or related areas or subject fields as the Scottish Parliament Art Collection. 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.

- 7.2. The following are examples of museums and other organisations collecting in the same or related areas or subject fields as the Scottish Parliament Art Collection:

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

University of Edinburgh art collection

University of Stirling art collection

8. Archival holdings

- 8.1. As the SPCB holds and may acquire limited archive material, including photographs and printed ephemera, it will have regard to the Code of Practice on Archives for Museums and Galleries in the United Kingdom (third edition, 2002) and any future editions.

9. Approval and procedures for acquisitions and loans

Acquisitions at cost

- 9.1. The Head of Events and Exhibitions will make recommendations to the SPCB in respect of the purchase or commissioning of works for the primary Art Collection at cost. This will be done following consideration by the Art Curator/Exhibitions Manager.
- 9.2. Recommendations in respect of the primary Art Collection are subject to the SPCB's approval of financial resources for new commissions or purchases except when such acquisitions are time-critical. Examples of time-critical acquisitions at cost would be when works are being acquired at auction or following the opening of an exhibition of new works. The Presiding Officer and Clerk/Chief Executive are able to jointly approve expenditure for the acquisition of time-critical work.
- 9.3. Offers of acquisitions at cost which are not being progressed by the SPCB may be declined by the Art Curator/Exhibitions Manager.

Gifts

- 9.4. The SPCB is under no obligation to accept offers of gifts or bequests. Any such offers are considered in the context of this policy and the existing Art Collection.
- 9.5. Offers of gifts can be accepted by the Art Curator / Exhibitions Manager. However, any associated costs must be capable of being met within existing resources or approved by the SPCB.

Loans

- 9.6. Loaned works must meet the collecting criteria set out in this policy and enhance the permanent Art Collection and displays within the Scottish Parliament. Costs associated with loans must be capable of being met from existing resources.

- 9.7. Loans can be approved or declined by the Art Curator/Exhibitions Manager.
- 9.8. Loans for the Presiding Officers' offices will, in principle, be supported by the SPCB. Individual MSPs are responsible for any loans to their private offices.

Pass-holder areas occupied solely by staff

- 9.9. Any acquisition (including a loan) of limited edition prints and photographs recommended by the Art Curator/Exhibitions Manager for pass-holder areas (occupied solely by staff) can be approved by the Head of Events and Exhibitions without recourse to the SPCB.

Out of scope acquisitions

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

Due diligence

- 9.11. 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.
- 9.12. 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 1 November 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 and any future editions.

10. Human remains

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

11. Biological and geographical material

- 11.1. The SPCB will not acquire any biological or geological material.

12. Archaeological material

12.1. The SPCB will not acquire any archaeological material.

13. Exceptions

13.1. Any exceptions to the above paragraphs will only be because the SPCB is either:

13.1.1. acting as an externally approved repository of last resort for material of local (United Kingdom) origin; or

13.1.2. acting with the permission of authorities with the requisite jurisdiction in the country of origin.

13.2. 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. The SPCB will document when these exceptions occur.

14. Spoliation

14.1. 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 and any future editions.

15. Disposal procedures

15.1. The SPCB will have regard to the SPECTRUM Primary Procedures on disposal.

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

15.3. 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.

15.4. When disposal is motivated by curatorial reasons the procedures outlined below will be followed. The method of disposal may be by gift, sale, exchange or, as a last resort, destruction.

- 15.5. The decision to dispose of an artwork from the Art Collection, 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. The SPCB will act on the advice of professional curatorial staff, if any, and not of the Art Curator/Exhibitions Manager acting alone. Such a decision will be taken by the SPCB only after full consideration of the reasons for disposal. Other factors including the public benefit, 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 may be obtained and the views of stakeholders such as donors, researchers, local and source communities and others served by the Scottish Parliament may also be sought.
- 15.6. 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, or sale, directly to accredited museums likely to be interested in its acquisition.
- 15.7. 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. This will normally be done through a notice on the Museum Association's Find an Object web listing service, an announcement in the Museums Association's Museums Journal or in other specialist publications and websites.
- 15.8. The announcement relating to a 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. When doing so, priority will be given to organisations in the public domain.
- 15.9. Any monies received by the SPCB from the disposal of items will be applied solely and directly 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 relevant 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 monies

are intended to be used for the care of the Art Collection will be sought from Museums Galleries Scotland.

- 15.10. Full records will be kept of all decisions on disposals and the items involved and proper arrangements will be 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.

Disposal by exchange

- 15.11. The nature of disposal by exchange means that the SPCB will not necessarily be in a position to exchange the material with an 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.
- 15.12. 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 outlined in this paragraph 15 will be followed.
- 15.13. 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.
- 15.14. If the exchange is proposed with a non-accredited museum, with another type of organisation or with an individual, the museum will place a notice on the Museums Association's Find an Object web listing service or make an announcement in the Museums Association's Museums Journal or in other specialist publications and websites.
- 15.15. Both the notification and announcement must provide information on the number and nature of the works 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.

Disposal by destruction

- 15.16. If it is not possible to dispose of an object through transfer or sale, the SPCB may decide to destroy it.

- 15.17. It is acceptable to destroy material of low intrinsic significance (duplicate mass-produced works or other common works which lack significant provenance) where no alternative method of disposal can be found.
- 15.18. Destruction is also an acceptable method of disposal in cases where an object is in extremely poor condition, has high associated health and safety risks or is part of an approved destructive testing request.
- 15.19. Where necessary, specialist advice will be sought to establish the appropriate method of destruction. Health and safety risk assessments will be carried out by trained staff where required.
- 15.20. The destruction of objects should be witnessed by an appropriate member of the SPCB's workforce. In circumstances where this is not possible, e.g., the destruction of controlled substances, a police certificate should be obtained and kept in the relevant object history file.

Appendix - Definitions

The “**Scottish Parliament Art Collection**” (also referred to as the “**Art Collection**”) is the collections of contemporary art and furnishings (including all paintings and drawings; photography; sculpture and installation; textiles; video, film, new media and performance; artists books; portraiture; caricature and political cartoons; Scottish parliamentary and Scottish history; archives of artists; and limited edition prints) which are normally displayed in the Scottish Parliament building and which are the property of the SPCB or on loan to or from the SPCB from time to time, .

The “**Scottish Parliamentary Corporate Body**” (also 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.

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 Scottish Parliament, or ensure the Scottish Parliament is provided, with the property, staff and services required for the Scottish Parliament's purposes.

The “**Head of Events and Exhibitions**” is the official responsible to the SPCB for the effective delivery of the Scottish Parliament's events and exhibitions strategy and for expenditure associated with the purchase of limited edition or photographic prints for pass-holder areas occupied solely by staff.

The “**Art Curator/Exhibitions Manager**” is the professional officer responsible to the SPCB for the maintenance of the Art Collection to professional standards.