

**ual:**

**University Archives and Special Collections Centre**

**Loans Policy**

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## 1. Purpose

### 1.1 Introduction

This Policy covers loans-out and loans-in to the Archives and Special Collections Centre.

The Policy ensures all collection loans are directly relevant to UAL's mission and strategies (especially research, teaching, learning and enhancement, decolonising the arts, and the inspirational environment).

The policy defines the conditions and guiding principles for collection loans and sets out a series of clear policy statements to guide decisions and procedures.

### 1.2 Definitions

The National Archives provides the following definitions of typical acquisitions processes:

#### Loan

The archives are in the custody of the repository or its parent body but remain in the ownership of an external individual or organisation.

### **Gift, bequest or purchase**

The archives usually pass outright into the ownership of the repository or the organisation of which it is a part.

The UAL Acquisitions Policy sets out the principles for acquiring new collections.

### **1.3 Policy statements**

Short-term loans may be considered for the purposes of exhibition, research, and in some circumstances, appraisal prior to acquisition.

Long-term loans-in to ASCC may be considered if eventual acquisition is highly likely (eg. awaiting probate to execute a will), or to support specifically agreed UAL programmes, outcomes or research.

UAL will not consider long-term loans-in as an alternative to full title acquisition of collections, following guidance from The National Archives:

‘The term ‘permanent loan’ has caused many problems. Its inclusion in previous Loan Agreements, whether formal or informal, has led to misunderstandings between depositors and repositories, and between repositories and grant-awarding bodies, when material originally held on loan has subsequently been offered for sale. The term ‘permanent loan’ should be avoided in any new Loan Agreements, and should be regarded as unsound in any existing agreements, which may therefore need to be renegotiated.’

<https://www.nationalarchives.gov.uk/documents/archives/loanagreement.pdf> p.3

## **2. Loans-out from ASCC**

To reach a wide range of audiences the ASCC loans out items from its collections. Collection items from ASCC Archives and Special Collections are lent to exhibitions, both within UAL and externally. The UAL Art Collection is displayed throughout the UAL Estate and loaned to external organisations by arrangement.

Within UAL, exhibitions are curated in partnership with students as part of some assessed course programmes and in partnership with the Research Centres including Photography and the Archive Research Centre.

Loans to external venues are arranged in line with nationally recognised standards that aim to preserve the condition of the items. A loan agreement is drawn up for each external loan, based on a questionnaire issued by UAL Legal Services.

Before a loan-out is agreed, the following conditions must be met:

- The Loan Agreement sets out the terms of the loan.
- The item is physically suitable for transport and display at the borrowing institution.

- The level of risk to the item(s) is acceptable to the ASCC.
- The loan does not adversely affect the interests of the ASCC's or UAL's own audiences.
- The resources required to make the item available are acceptable to the ASCC.
- The suitability of the borrowing institution is acceptable to the ASCC.
- Any prior commitment for the item does not prohibit the loans.
- The item has significance to the theme and purpose of the exhibition.
- The formal final loan request is received with sufficient time to prepare the items.
- The borrower accepts all the costs of the loan.
- Where a digital surrogate of a document, photograph or piece of film exists, there must be a valid reason for using the original.

### **3. Loans-in to ASCC**

ASCC will follow this minimum standard, for all loans-in. For each loan, ASCC will:

- clearly state the reason for any loan, ensuring that the loan fulfils UAL's purpose to support exhibitions or research.
- manage the loan using the formal Loan of Artworks Agreement, in consultation with UAL Legal Services following assessment of risk and completion of due diligence
- make clear reference to any care standards and other terms and conditions
- ensure that all loans are for a fixed period of time
- have appropriate insurance and indemnity cover for borrowed objects while they are in the care of the ASCC
- have up-to-date information about the location and physical wellbeing of borrowed objects during the loan
- keep a written record of all loans
- comply with all UK laws relating to collections, and work within the relevant sectoral collections management standards and ethics concerning loans.

## **4. Due diligence**

### **4.1 Legal governance**

ASCC is committed to transparency in its loans process, taking into account the Data Protection Act 1998 and the Freedom of Information Act 2000.

ASCC will exercise due diligence and make every effort not to borrow any item without clearly valid title or with insecure provenance.

### **4.2 Resource considerations**

For all loans-out and loans-in to the ASCC, consideration will be given to resource constraints and risks such as insurance, security, space, physical condition and digital requirements.

### **4.3 Sensitive material considerations**

Any sensitive material (including archaeological, biological, human remains etc.) will only be borrowed in accordance with cultural and heritage sector guidelines and regulations.

Any loans presenting notably sensitive or controversial issues (legal, ethical or practical) must be agreed by the UAL Archives, Museum and Special Collections Advisory Board.

### **4.4 Authority**

Short-term loans-in and loans-out may be agreed by collection managers, subject to the usual internal management procedures and legal agreement processes.

All proposals for long-term loans-in must be agreed by the UAL Archives, Museum and Special Collections Advisory Board.

Long-term loan-in renewals, or existing short-term loans proposed for extension beyond one year, must go to the Advisory Board for approval.

### **4.5 Further guidance**

The National Archives provides 'Loan (deposit) agreements for privately-owned archives'

<https://www.nationalarchives.gov.uk/documents/archives/loanagreement.pdf>

Including a checklist of points for inclusion in loan agreements and example clauses.

The Museums Association provides the Spectrum standard for the loan of museum items.

## **5. Approval**

Policy approved by the Archives, Museum and Special Collections Advisory Board: [18<sup>th</sup> May 2021]

Review (every 3 years):

## **6. Version Control**