



**maitland**  
city council

**MAITLAND REGIONAL  
ART GALLERY  
MANAGEMENT POLICY**

**DATE ADOPTED: 27 AUGUST 2019**

**VERSION: 1.0**

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## **POLICY OBJECTIVES**

The purpose of this policy is to provide a framework for the delivery of Maitland Regional Art Gallery's functions. Policy objectives include:

- Ensuring organisational excellence in gallery management in accordance with national standards for Australian Museums and Galleries; and
- Delivery of best practice in collection management, exhibitions, public programming and commercial operations.

## **POLICY SCOPE**

This policy applies to the functions underpinning Gallery service delivery: collections, exhibitions, programming and commercial operations.

## **POLICY STATEMENT**

The mission of Maitland Regional Art Gallery is to deliver high quality, energetic and accessible art and cultural programming for the enjoyment of the Maitland community and its visitors. This policy guides the design and delivery of Gallery services in support of this mission.

# 1. COLLECTION MANAGEMENT

## 1.1 ACQUISITIONS

Maitland Regional Art Gallery is the custodian of a unique collection of considerable value and cultural significance. The collection requires museological standards of management, care and conservation to ensure this unique cultural asset is accessible to the Maitland community and preserved for future generations. Section 1.1 applies to activities relating to the acquisition and accessioning of works of art into the collection.

Acquisition and accessioning of artwork is conducted in accordance with an accepted approval and management framework. The Gallery acquires works of art by various methods and is committed to ensuring that all acquisitions are negotiated and managed on terms that are ethical, honourable, responsible and transparent to public scrutiny. This policy sets out the principles the Gallery models and factors it will consider when acquiring works of art for the collection.

The objectives of the acquisitions policy are to ensure:

- The Gallery advances its mission and enhances and develops the collection;
- The Gallery applies rigorous, ethical and accountable standards in the consideration, assessment and negotiation of acquisitions;
- Acquisitions to the collection are considered and approved in accordance with established delegated authority;
- The Gallery maintains its standing and reputation for integrity and excellence; and
- The preservation of the region's cultural heritage in the visual arts.

These objectives are to be achieved by ensuring that the Gallery acquires works of art that fit within the Gallery's collecting priority areas and obtains valid title to works acquired for the collection.

### 1.1.1 Principles

The development of the collection is essential to ensure the Gallery fulfils its function as a collecting institution and a vibrant, living museum. The Gallery acquires works of art that fit within identified collecting areas, selected on the basis of the significance of the artist and/or the specific quality of the work of art, as well as relevance to the collection.

The Gallery ensures that all acquisitions are negotiated and managed on terms that are ethical, honourable and responsible, maintaining the Gallery's standing and reputation for collecting excellence. In developing its collection, the Gallery will seek to ensure that it acquires authentic works of art with valid title and an established chain of ownership, and that it obtains works legally, in accordance with relevant law.

### 1.1.2 Collecting focus

#### Works on paper

The Gallery's collection focus is works on paper and the Gallery actively collects significant artworks and cultural objects that strengthen this focus. This encompasses works of art created on paper, with paper, about paper and including paper.

### 1.1.3 Acquisitions Criteria

Acquisitions are guided by the *Statement of Principles, Australian Best Practice Guide to Collecting Cultural Material*. Proposed acquisitions are evaluated by the Gallery's Collection Reference Group and led by the Collection Management Curator. Priority is given to proposals that:

- Strengthen the Gallery's collection focus of works on paper;



- Improve the representation of local artists or artists with a connection to Maitland;
- Provide insight into local stories about Maitland, its environment, history and community;
- Engage the community in the creation of new work;
- Improve the standard of representation of important artists already in the collection;
- Add, in a significant way, to works of a period already represented in the collection; or
- Extend the collection in ways that reflect the diversity of artistic practice in terms of period, theme or media

Exclusions include works of art and cultural objects that:

- Cannot be stored, handled, displayed or cared for safely and securely;
- Cannot establish validity of legal ownership;
- Are determined to be forgeries or which have been falsely or wrongly attributed; or
- Are considered secret or sacred by indigenous peoples and are the subject of religious or cultural sanctions.

#### 1.1.4 Methods of acquisition

##### Commission

The Gallery may acquire works of art by contracting an artist to produce a work for the collection. The terms and conditions of the commission will be stipulated in the Memorandum of Understanding established between the Gallery and the artist/s. Priority is given to:

- Local artists (Maitland, Hunter Valley and NSW); and
- Relevance of the work to the Gallery, the City of Maitland or gaps in the Gallery's collection.

##### Purchases

Works of art may be purchased for the purpose of accession into the collection. Purchases may be from dealers, commercial galleries, shops, private individuals and companies, as well as through auction. The authority to purchase art works or reserve works at auction is held by the Coordinator Gallery and the Collection Management Curator pending prior approval by the Collection Reference Group.

##### Gifts and donations

Any donation of work by a living individual or individuals, or an institution or organisation is considered a gift. The donor is required to sign a Deed of Gift, evidencing full transfer of title and possession, providing the Gallery with a range of warranties and indemnities and affirming the agreement of both or all parties to the transfer and acceptance of title and possession of the work of art. In the event that the Gallery elects to accept a gift with encumbrances or restrictions, such matters will be documented as variations to the Deed of Gift.

The Gallery also accepts gifts made under the *Cultural Gifts Program*. Such gifts are assessed against this policy, but must also meet the *Cultural Gifts Program* requirements outlined by the Department of Communications and the Arts at [www.arts.gov.au/funding-and-support/cultural-gifts-program](http://www.arts.gov.au/funding-and-support/cultural-gifts-program)

##### Bequests

Artworks offered to the Gallery by bequest may be accepted for the purpose of accession into the collection. In accordance with the conditions of the bequest, works may be also acquired as property to be disposed of to benefit the collection. For accepted bequests, a copy of the will, codicils and any other related documentation will be retained as part of the Gallery's records.

Full legal ownership of items donated, gifted or bequeathed is assumed by the Gallery, including the right to decide conditions of display, housing and access to the items.

The Gallery applies the criteria for acquisitions (outlined in 1.1.3 above) when considering gifts, donations and bequests and reserves the right to decline such offers. Anonymous donations are not accepted.



### 1.1.5 Loans

All outward loans are subject to fees identified in the Gallery's fees and charges schedule and require a formal Loan Agreement. All loans are contingent on there being no compromise to long-term preservation of the item(s).

Outward loans from the Gallery's collection are made only to galleries, museums and other venues that can establish adequate security, environmental monitoring and insurance cover for the period of the loan. All long term loans from the collection will be reviewed every 12 months.

### 1.1.6 Responsibility

All acquisition proposals are directed to Coordinator Gallery in the first instance. The Collection Management Curator documents acquisitions proposals and the Collection Reference Group evaluates acquisitions proposals against acquisition criteria. Recommendations are documented and approved by the Manager Gallery and Libraries, Coordinator Gallery and Senior Curator.

#### Accessioning

The Gallery's collection is registered in accordance with museological standards and codes of practice, including, but not limited to the *National Standards for Australian Museums and Galleries* and the *Burra Charter*. Records of accession are maintained for all acquisitions in the Gallery's collection management system.

#### New initiatives

When new initiatives or offers by donation or bequest create an opportunity for new collecting areas to be established, they are to be considered carefully by the Collection Reference Group against current and predicted resources so as not to compromise the Gallery's ability to adequately care for and utilise existing and new collections.

#### Copyright

The Gallery recognises artists' copyright and moral rights over items they have created. Where appropriate, the gallery will seek permission from the artist for limited and specific rights to reproduce images of the works for promotional and documentation purposes.

#### Collection care

Items are stored and displayed in an appropriate manner to ensure access and ongoing preservation.

A statement of the collection's significance is updated every 5 years, identifying the artistic, historic, social and spiritual value that items have for past, present and future generations.

A conservation management plan that identifies priority works, storage needs and treatment is actively maintained.

## 1.2 DEACCESSIONS

From time to time the Gallery needs to refine the collection through deaccessioning and disposal of works of art that are unfit for the collection or no longer required. Deaccession means the process that formally removes a work of art from the collection.

In deaccessioning any item, the Gallery must balance a range of considerations, including the integrity and long-term quality of the collection, the public interest and the effects any publicity may have on the willingness of current and future benefactors to donate or bequeath works of art to the Gallery.

Section 1.2 sets out the rationale, authority, process and criteria for the deaccession and disposal of a work of art from the collection.

The objectives of the deaccessions policy are to ensure that:

- The Gallery applies rigorous, ethical and accountable standards in the assessment of items to be deaccessioned from the collection;
- Deaccessions from the collection are considered and approved in accordance with established delegated authority; and
- The Gallery maintains its standing and reputation for integrity and excellence.

### 1.2.1 Principles

A work of art will only be deaccessioned if to do so will improve the overall quality of the collection. The Gallery will not base any deaccessioning decision on current trends or personal taste but will make such decisions objectively, having regard to the long-term interests of the collection and the public interest, and having regard to the recommendations of the Collection Reference Group.

Deaccession decisions and actions are documented and made in accordance with professional standards and ethics. Gallery staff and volunteers, including members of the Collection Reference Group and families, are prohibited from purchasing or otherwise obtaining a deaccessioned artwork, with the exception of cases in which they are the original donor.

### 1.2.2 Deaccession criteria

In determining whether a work of art will be deaccessioned, the following criteria are considered:

- The artwork no longer meets the criteria as detailed in Section 1.1.3
- The artwork is a duplicate, or of lesser quality, than an artwork already held in the collection
- The significance or aesthetic merit of the artwork falls below the general level of the collection
- The artwork has deteriorated to such an extent that it is no longer able to be exhibited and is beyond being acceptably restored, and/or the costs of conservation outweigh its value to the collection
- The artwork presents a risk to staff, the public, the Gallery buildings or to other artworks.
- The artwork can no longer be suitably stored
- the artwork lacks appropriate supporting information to enable correct identification or to establish its relevance to the collection
- The artwork is a forgery, or has been incorrectly identified or attributed
- There is no clear legal title to the Gallery's ownership of the artwork
- A substantiated request for the return of the artwork to its owner/donor is received, including the return of sacred material to indigenous peoples or other communities where relevant

Subject to Deaccession Criteria outlined above, the Gallery will not deaccession:

- a work of art by a living artist without first engaging with the artist



- a work of art donated or bequeathed to the Gallery without first engaging with any relevant donor, executor, trustee or personal representative of the donor or testator, having regard to any conditions or trusts attaching to gifts or bequests and to whether or not the relevant person can reasonably be identified and contacted.

Exclusions include works of art and cultural objects that:

- Have been acquired by donation through the Australian Government Cultural Gifts Program as these donors have received a tax deduction for the donation of the artwork.

### 1.2.3 **Methods of disposal**

Following deaccession, a work of art may be disposed of by various means, including sale, gift and destruction. If artworks are approved for disposal through private sale or public auction, the proposed use of funds must be documented prior to sale.

## 2. EXHIBITIONS

Maitland Regional Art Gallery presents exhibitions and learning programs that connect people with the experience, making and understanding of art and its relevance to contemporary society.

The objectives of the exhibitions policy are to:

- Ensure that the Gallery maintains its reputation for excellence in the development, programming and management of exhibitions;
- Define the terms by which the Gallery develops and maintains a balanced and varied exhibition program, presenting innovative and accessible exhibitions focused toward public engagement;
- Establish a transparent, accountable, rigorous and collaborative approach to the development, evaluation and approval of exhibitions and the exhibition program; and
- Provide a framework to ensure the Gallery sustainably develops and manages its exhibition program in accordance with sound planning, financial and risk management principles.

### 2.1 Principles

The Gallery's exhibition program encompasses exhibitions at the Gallery site, designated off-site projects and occasional touring exhibitions to venues across Australia. In developing and managing the exhibition program, the Gallery will ensure the following principles are adopted:

- Exhibitions will demonstrate curatorial scholarship, innovation, integrity and museological excellence;
- exhibitions and the exhibition program will present original, varied and creative interpretations of visual art;
- The exhibition program will be developed in accordance with national museum standards and ethics in relation to exhibition content, interpretation, display and access;
- The exhibition program will reflect the Gallery's context, paying particular attention to fostering and strengthening partnerships, connections and engagement in the region. Exhibitions and related programming and materials will also reflect the Gallery's education and public engagement priorities;
- Excellence in exhibition design, display and presentation techniques will be demonstrated;
- Exhibitions and the exhibition program will facilitate and foster access and engagement for diverse audiences through innovative interpretation, display techniques, online content, programming, exhibition collateral, social media, marketing and archived exhibition information and content on the Gallery's website;
- Opportunities for touring will be a consideration in the development of exhibitions from the Gallery's collection;
- The principles guiding the development of the exhibition program are embodied in the public engagement programs, media, marketing and exhibition collateral; and
- Commitment to a consultative curatorial process for the development of Aboriginal and Torres Strait Islander art exhibitions in liaison with Maitland City Council's Aboriginal Reference Group and similar consultation and engagement practices will be undertaken with other communities where possible and relevant.

### 2.2 Exhibition criteria

All exhibition proposals are assessed by the Curatorial Reference Group, with priority given to proposals that:

- Demonstrate artistic excellence;
- Add value to existing partnerships and/or initiatives;
- Create opportunities for creative learning, collection development or community partnerships;
- Provide a quality experience for the Maitland community and its visitors;
- Stimulate and promote local and regional cultural awareness;



- Foster and support emerging, mid-career and established artists of professional standing from the region;
- Provide opportunities to engage with priority groups as identified in local and state government plans, including Aboriginal and Torres Strait Islander people, people with disability, young people and CaLD communities;
- Support access to the Gallery's collection;
- Respond to the Gallery's site, including internal spaces, external grounds and building architecture.
- Exclusions include exhibition proposals that:
  - Present a conflict of interest, including proposals from Maitland City Council staff or Maitland Regional Art Gallery Members. In the case of extenuating circumstances, such inclusion is determined by the Coordinator Gallery in consultation with the Manager Gallery and Libraries and Group Manager Culture Community and Recreation.
- Repeat exhibitions of the same or similar content in the Hunter region within a period of not less than 3 years.

Artworks shall not be excluded from exhibition on moral, political, racist, religious, sexist, language or other sensitive grounds, unless subject to Federal or State prohibition.

## 2.4 Outgoing Travelling exhibitions

The Gallery occasionally coordinates outgoing travelling exhibitions as a means to promote the collection and extend the Gallery's outreach. Proposals for travelling exhibitions will:

- Derive content from the Gallery's collection;
- Not exceed more than 3 travelling exhibitions in any calendar year;
- Be presented in a business case to the Group Manager.



### **3. PUBLIC PROGRAMS**

The Gallery acknowledges public programs as a vehicle for creative learning and central to its capacity to engage visitors, establish meaningful community relationships and ensure long-term viability.

A range of public programs and special events are developed to encourage debate, dialogue and thinking around contemporary art ideas and practice. This includes a broad, dynamic and active program of engagement and learning opportunities in a variety of formats.

Public programs and educational activities are designed to connect audiences with the Gallery and with visual art. Specific programs and initiatives enable access to the Gallery by individuals with wide-ranging and specific needs, including the spheres of health, wellbeing and arts education.

The objectives of the public programs policy are to ensure:

- The Gallery maintains its reputation for excellence in the development and management of public programming;
- The Gallery develops and maintains a balanced and varied approach to programming, presenting innovative and accessible programs focused toward public engagement;
- A transparent, accountable, rigorous and collaborative approach to the development, evaluation and approval of public programming; and
- The Gallery sustainably develops and manages its public programming in accordance with sound planning, financial and risk management principles.

#### **3.1 Principles**

Activities and events include learning experiences suited to people of different ages, cultural backgrounds and abilities, giving audiences opportunities to interact with exhibitions and artists. Programs provide access to the Gallery's exhibitions for individuals, community groups and educational institutions, emphasising connection to art and its enduring power to create meaning, as well as fostering creative and critical thinking skills through direct experience with art and artists. Partnerships with community groups and organisations underpin the development and delivery of programs, as does accessibility.

Public programming prioritises:

- Exhibition-related events including, but not limited to, artists talks, workshops and self-directed activities;
- Engagement with priority groups identified in local government and state government plans, including Aboriginal and Torres Strait Islander people, people with disability, young people and CaLD communities;
- Education, including programs linked to exhibitions and connected with NSW curriculum outcomes for students and teachers; and
- Audience development including partnerships, such as arts/health initiatives, that extend the Gallery's reach.



## 4. COMMERCIAL OPERATIONS

The Gallery Shop adds value to visitors' experience of the Gallery and also to the artistic program, fostering artisans who may not otherwise produce artwork of a scale reflective of the Gallery exhibition spaces.

Shop stock is purchased outright or obtained on a consignment basis, with preference given to consignment goods. Pricing is in accordance with Maitland City Council's Fees and Charges framework. The Gallery reserves the right to undertake sale/promotional events and discounts as appropriate, subject to approval by the Coordinator Gallery.

### 4.1 Selection criteria

Suppliers are managed by the Gallery's Merchandise Officer. Products are reviewed by the Retail Reference Group with preference given to stock that relates favourable to the following criteria:

- Artist on exhibition in the Gallery;
- Local artists and artisans from Maitland and the Hunter region;
- Adds value to the Gallery's artistic program;
- Products display artistic merit and are of high quality;
- Commercial viability; and
- Artists and goods not generally stocked in the Maitland area.

Those who are not eligible for consideration as a Gallery shop supplier include Maitland City Council staff, volunteers and Seraphine Café staff.

### Refunds

The Gallery shop's refund policy complies with NSW Fair Trading Guidelines [www.fairtrading.nsw.gov.au/buying-products-and-services](http://www.fairtrading.nsw.gov.au/buying-products-and-services) Refunds or exchanges based on change of mind are not given, however refunds will be given where goods are faulty, wrongly described or different to the samples shown.

## POLICY DEFINITIONS

Accession	Process which formally acknowledges a work of art as part of the collection
Acquisition	Process of obtaining valid title to a work of art. Works may be acquired through various methods for the purpose of accessioning into the collection or acquisition without accessioning for purposes outlined in this policy
CaLD	Culturally and linguistically diverse communities
Collection	Works of art in various media that are Gallery property and have been formally accessioned. For the purposes of this policy, the terms work of art, work and related terms are used interchangeably to describe all art or other material
Collection Reference Group	The committee established to review and recommend the acquisition of works of art to and deaccession from the collection. Includes Manager Gallery and Libraries, Coordinator Gallery, Senior Curator and Collection Management Curator.
Cultural Gifts Program	The Cultural Gifts Program offers tax incentives to encourage people to donate cultural items to Australian public collections. Gifted items can include visual and decorative arts, Indigenous arts and cultural artefacts, social history and scientific collections, and archival material. It is managed by the Australian Government, Department of Communication and the Arts.
Curatorial Reference Group	The committee established to review, select and develop the Gallery's exhibition program. At a minimum the committee must include Manager Gallery and Libraries, Coordinator Gallery and Senior Curator. It is preferable that the Arts Administrator, Collection Management Curator and Learning and Audience Development Curators are also present.
Deed of Gift	A formal, legally binding document that establishes that title to a work of art is given to the Gallery as a gift by the donor(s). The Deed of Gift also outlines the terms and conditions of the gift and its acceptance.
Exhibition	The public display of art and/or museum objects.
Gallery	Maitland Regional Art Gallery
Provenance	The history and ownership of an item from the time of its discovery or creation to the present day, from which authenticity and ownership may be determined.
Retail Reference Group	The committee established to review, select and develop the Gallery's retail offering. Includes Coordinator Gallery, Arts Administrator, Merchandise Officer and a representative from the Curatorial team.
Title	Legal right to ownership of property



## POLICY ADMINISTRATION

BUSINESS GROUP:	Culture Community and Recreation
RESPONSIBLE OFFICER:	Manager Gallery and Libraries
COUNCIL REFERENCE:	Council Meeting - 27 August 2019 - Item 11.2
POLICY REVIEW DATE:	Three (3) years from date of adoption
FILE NUMBER:	11/5
RELEVANT LEGISLATION	
RELATED POLICIES / PROCEDURES / PROTOCOLS	<ul style="list-style-type: none"> <li>Australian Best Practice Guide to Collecting Cultural Material. Commonwealth Government, Department of Communication and the Arts (2015)</li> <li>National Standards for Australian Museums and Galleries (2016)</li> </ul>

## POLICY HISTORY

VERSION	DATE APPROVED	DESCRIPTION OF CHANGES
1.0	27 Aug 19	<p>New policy combining:</p> <p>Collections Policy for Maitland Regional Gallery 26/08/03</p> <p>Acquisitions for Maitland Regional Gallery 26/08/03</p> <p>Loan of Works Policy for Maitland Regional Gallery 26/08/03</p> <p>Exhibitions Programs for Maitland Regional Gallery 26/08/03</p>