

Collections Development Policy

09/10/21 V.1 - ML

Reviewed for approval by governing body:

12/12/23 - LS

# Museum of the Isles Collections Development Policy 2021-2026



## ARMADALE

CASTLE, GARDENS & MUSEUM OF THE ISLES

ISLE OF SKYE

Name of museum: Museum of the Isles

Name of Governing Body: Clan Donald Lands Trust – Board of Trustees

Date on which this policy was approved by governing body: 02/05/2024

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## Policy Review Procedure

This is the policy statement regulating the acquisition of items for the collections of Clan Donald Lands Trust held in the Museum of the Isles, Armadale. The adoption and implementation of such a policy by the Board of Trustees of the Clan Donald Lands Trust is a requirement of the Accreditation Scheme for Museums in the UK.

This policy represents the aims and objectives of the Board of Trustees at the time of its adoption in November 2023 and as such is subject to revision.

This policy statement supersedes all previous and existing practices and policies, formal or informal, relating to the acquisition of items for the Museum collections.

The Collections Development Policy will be published and reviewed at least one every five years. Museum Galleries Scotland will be notified of any changes to the Collections Development Policy, and the implications of any such changes for the future of the Museum collections.

### 1. Relationship to other relevant policies/plans of the organisation

- 1.1 The Museum of the Isles supports the Clan Donald Land Trust's mission to educate, inspire and promote an appreciation of Clan Donald, the Lordship of the Isles and the history of the West Highlands and Islands of Scotland. It aims to promote an understanding and awareness of this history, culture, and traditions by educating and inspiring members of Clan Donald, the local community and visitors to Armadale, now and in the future.
- 1.2 The governing body will ensure that both acquisition and disposal are carried out openly and with transparency.
- 1.3 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 governing body 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.
- 1.4 Acquisitions outside the current stated policy will only be made in exceptional circumstances.
- 1.5 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.

1.6 The museum will undertake 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.

1.7 In exceptional cases, disposal may be motivated principally by financial reasons. The method of disposal will therefore be by sale and the procedures outlined below will be followed. In cases where disposal is motivated by financial reasons, the governing body will not undertake disposals unless it can be demonstrated that all the following exceptional circumstances are met in full:

- the disposal will significantly improve the long-term public benefit derived from the remaining collection
- the disposal will not be undertaken to generate short-term revenue (for example to meet a budget deficit)
- the disposal will be undertaken as a last resort after other sources of funding have been thoroughly explored
- extensive prior consultation with sector bodies has been undertaken
- the item under consideration lies outside the museum's established core collection

## 2. History of the collections

2.1 Since 1990 the Museum has acquired a number of collections, including a significant gift of material relating to the MacDonells of Glengarry in 1996. This collection, known as the Cuninghame Collection after its donor, includes a fine selection of artefacts relating to Alasdair Ranaldson MacDonell, 15<sup>th</sup> Chief of Glengarry. Founder of the Society of True Highlanders in 1815, he was key in promoting the new romantic image of the Highlands. He is the subject of a portrait by Raeburn which now hangs in the National Gallery and many of the objects in the Cuninghame Collection are illustrated in this painting.

2.2 In the same year the Museum acquired a selection of almost 100 objects collected on Skye in the 1930s. This long-term loan, which continues to this day, consists of domestic bygones, agricultural implements, and fishing and weaving equipment, and provides a counterbalance to the ornateness of the Cuninghame Collection.

2.3 In 1997 CDLT was the beneficiary of the Scottish Arts Council Bequest, whereby the Scottish Arts Council distributed its collection of modern art to registered museums and galleries in Scotland according to the merits of individual applications. This bequest included a portrait by Alastair Moffat of the Gaelic poet Sorley Maclean as well as paintings by Tom Donald and Jon Schueler.

2.4 In addition, the Museum has substantial holdings of manuscripts, archives, photographs, and antiquarian maps and books providing a wealth of material relating to Skye and the Macdonald estates. In 1981 the Trust purchased the estate papers of Lord Macdonald, which had been on loan to the Scottish Records Office since the 1960. This collection ranges from 1542 to 1948, with the bulk of the material from the eighteenth and

nineteenth centuries, and includes charters, correspondence, rent lists, account books, maps, and estate surveys.

2.5 In 1988 the Trust purchased a collection of printed material relating to the Jacobite period 1688-1746 numbering over 800 items and includes seventeenth- and eighteenth-century printed material, the partisan pamphlets published by both sides, and classic works which helped create the Jacobite myth such as *Ascanius* and *Alexis*.

2.6 Since 2002 the Museum and Study Centre have been housed in a specially constructed building located within the gardens of Armadale Castle, Gardens and Museum of the Isles. Prior to that, the Museum was situated on the ground floor of the 1790 Mansion House section of Armadale Castle, while the study centre was in Armadale House, the former Head Gardener's residence. The Museum explores the history of Skye and the Highland and Islands through the story of Clan Donald, from the Kingdom of the Isles to present day.

2.7 The Museum building was constructed to a detailed specification, using BS guide 54545 and with advice from the Master Locksmith's Association (MLA) security advisor. It occupies an area of around 576.29M or 6203.13ft<sup>2</sup>. There are seven galleries, including one reserved for temporary exhibitions, public toilets, a gift shop in the museum reception, a study centre, two staff offices, a staff room and toilets, and a workroom. The storage area is divided into three zones including one that can achieve a greater control over environmental conditions for the storage of photographs and works of art on paper.

2.8 The Museum owns the greater part of its collections, with no more than 15% of the items held on loan. The collections are varied, reflecting the relatively wide remit of the Museum's collecting areas. It includes a significant archive collection, in particular the archive of the Macdonald estate in Skye and North Uist, as well as a substantial library collection of approximately 8,000 titles.

2.9 The Museum relies on the donation of objects and on financial donations, some relating to specific purchases, in order to add to the Museum and Library collection. Objects relating to the Clan Donald clans are represented in the collections in varying degrees. Glengarry and Sleat are particularly well represented through the Cuninghame collection for Glengarry and items derived from Lord Macdonald as well as the Macdonald estate archives for Sleat. Clanranald is relatively under represented; the 23rd chief bequeathed his family memorabilia and archives to the National Museums and to the National Archives of Scotland in 1944. The material relating to the now defunct Clan Donald Society of Aberdeen and the Clan Donald Society of Edinburgh have been acquired.

2.10 Other more recent key acquisitions include:

- The Gunna Breac (long gun 17<sup>th</sup>/18<sup>th</sup>C)
- Keppoch Sword (basket hilted broadsword which belonged to the Keppoch Clan Chief, purchased with the assistance of the National Fund for Acquisitions)

- Viking pommel c9-10<sup>th</sup> century found at Teangue, Isle of Skye (received from Treasure Trove)
- Bronze Age assemblage
- Viking Anchor
- Applewood bagpipes made in Nova Scotia in the 1840s
- The Great Book of Skye
- Archival material and objects relating to the Macalister family and Kingsburgh House (where Bonnie Prince Charlie stayed for a night in 1746)

### 3. An overview of current collections

3.1 The Museum collection is made up of a mix of broad categories including military, medals and coins, arms and armour, fine art, costume and textile, photography, domestic history– supported by a library of manuscripts and archives, antiquarian books, and secondary reference material. Divided into the following subject categories the collections encompass:

Agricultural	26
Animal	2
Archaeology	5
Architecture	4
Arms/Armour	73
Boats & fishing	8
CDLT	2
Ceramics	7
Costume	61
Domestic	215
Furniture/furnishings	8
Fine art - drawing	3
Fine art - engraving	12
Fine art - miniature	9
Fine art - oil painting	14
Fine art - print	294
Fine art - watercolour	31
Games/sporting equipment	3
Glass	8
Horticulture	1
Instrument	8
Manuscript	86
Map	73
Medals & coins	32
Military	15
Miscellaneous	9

Models & replicas	3
Personal ornament	18
Photograph	7
Ornament	41
Religious/ritual equipment	2
Scientific	2
Sculpture	
Textile	13
Archive & manuscript material	6000+
Antiquarian books & pamphlets	1100+
Reference book	8000+
Photographic collections including slides & transparencies	9000+

3.2 The existing Collection is particularly strong in artefacts relating to the Jacobite period 1688-1746 both in terms of objects dating from this period, including many relating to the roles played by individual Macdonalds, and in terms of manuscripts, maps, and printed material, some of it very rare.

3.3 Another strength is material relating to the late 18<sup>th</sup> and early 19<sup>th</sup> century – a period of great change in the Highlands. Here the object collections are again complemented by printed and manuscript material, particularly the Macdonald Estate Papers.

#### 4. Themes and priorities for future collecting

4.1 The aim of Clan Donald Lands Trust is to collect the full range of material evidence bearing on the history, culture and traditions of Clan Donald and the Lordship of the Isles in support of our mission. The main subject themes as outlined below will continue to be the Museum's collecting areas.

4.2 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. There are several factors that might influence future collecting. These relate to the good management and sustainability of the collections. Limitations on storage and display space are such factors which must be considered. The Museum storerooms are already full and display space for large objects is also limited in the current Museum.

4.3 The themes of our collecting areas are as follows:

*4.3.1 Materials relating to the several clans within Clan Donald, their history, culture and antecedents:*

- There are six main branches to the clan – Antrim and Clan Donald South, Clanranald, Glencoe, Glengarry, Keppoch and Sleat - as well as several lesser-known branches in Scotland and Ireland. The term Clan Donald also embraces a wider group of associated names, as well as the name MacDonald. Material relating to these associated families will also be covered by this collecting area.
- This includes quite a large group of general clan material such as badges, grants of arms, etc which cannot always be easily categorised under individual clans. These items may not be of great historical import or monetary value, but have contextual relevance to the collections as a whole in that the Museum is a clan centre.
- The Museum will continue to collect objects, manuscripts and archival material relating to this theme, when and where possible.

*4.3.2 Materials relating to the cultural heritage and history of the Lordship of the Isles and the geographic area covered by its territories on the western seaboard:*

- This theme will overlap with 4.3.1.
- A large proportion is made up of secondary reference works in the library, with a small amount of primary manuscript material (eg the Glenaladale/Borrodale letter books, ref: MS.1) and early maps and charts.
- The exception is the territory of the Macdonalds of Sleat ie parts of Skye (Troternish, Strath and Sleat) and North Uist. We hold a wealth of manuscript and photographic material on this area including our main archive collection, the Macdonald Estate Papers. We hold a number of artefacts originating from Skye including the Col Jock Macdonald collection of crofting bygones, which was collected in Skye in the 1930s.
- Material relating to the remaining geographical areas will be collected where appropriate and with due regard to the concerns of other Museums in those areas. At present these areas are largely represented in the collections by secondary reference works in the library. This part of the collections will continue to be added to on a regular basis, as and when interesting and relevant titles can be acquired.

*4.3.3 Material relating to the geographic areas in the western highlands and islands from which Clan Donald originated:*

- It is unlikely that much original material dating from the actual period of the Lordship of the Isles (ie before 1493) will ever be acquired by the Museum of the Isles. Most of what still exists is either in the National Museums, the National Library or other Museums, or *in situ* at sites relating to the Lordship such as Finlaggan, on Islay. Given this, the main course of action open to the Museum is the acquisition of replicas, to illustrate exhibition themes, if felt appropriate. However, if the opportunity ever arose to obtain original material from this period, the Museum would pursue its acquisition.
- Most of the items from the Museum's costume, decorative arts, weapons and music collections, as well as virtually all the reference works in the library

collections, relate to the history and cultural heritage of the Highlands and Islands and therefore to that of the Lordship itself. The Museum continues to collect actively in this area.

#### *4.3.4 Materials bearing on the lives and careers of individual clansfolk throughout the world:*

- Material has already been gathered on some of the better known members of Clan Donald of the past, for instance Flora Macdonald, Marshal Macdonald, Sir Hector Macdonald, George Macdonald, and Sir John A. Macdonald, as well as a number of successful 20th century MacDonalds. This is in a variety of media such as biographies, portraits, photographs, newspaper cuttings, uniforms, medals etc.
- Items relating to individual clansmen acquired since 2008 include the medals won by Donald Archie MacDonald at the Paris and Antwerp Olympics as well as a memorial ring to Flora MacDonald.
- Biographies and other books as well as newspaper cuttings, photographs etc, relating to individual MacDonalds continue to be collected.
- The Museum aims to collect material which draws attention to the personal stories of everyday clansfolk, from local narratives to stories of emigration and new beginnings.

#### *4.3.5 Materials relating to the domestic and working lives of the people who lived, and continue to live, on the Trust's Skye estates:*

- The Clan Donald Lands Trust owns a 20,000-acre estate in the southern part of the Sleat peninsula. This once formed part of the estates of Macdonald of Sleat so some of this material has already been discussed above - see section 4.3.2.
- The Museum collects material relating to the history of the people and places on this estate. Objects in this part of the collections range from Neolithic scrapers found at Camus Daraich to a Founders medal of the MacDonald of Sleat Masonic lodge, founded in 1931 in the Stables, Armadale.
- The Museum has a collection of over 9000 photographs, slides and transparencies, and a growing collection of old photographs and postcards (late 19th/early 20th century) many of which relate to the estate.
- The Museum will continue to add to its collection of material relevant to the history of the people and places of south Skye, demonstrating the strong impact of Clan Donald on the Skye community, past and present.

## **5. Themes and priorities for rationalisation and disposal**

5.1 The museum recognises that the principles in 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.

5.2 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.

5.3 A current analysis of the collections of Museum of the Isles, which are relatively small and accrue only slowly, indicates that little in the collections meets the criteria for disposal as laid out below. The exception is the library collection, in which there is a quantity of duplicate material; this is a priority for disposal.

5.4 Further, detailed guidance in deciding themes and priorities and the procedures for disposal can be found in the Museum Association's Disposal Toolkit.

## 6. Legal and ethical framework for acquisition and disposal of items

6.1 The Museum recognises its responsibility to work within the parameters of the Museum Association Code of Ethics when considering acquisition and disposal.

## 7. Collecting policies of other museums

7.1 The museum will take account of the collecting policies of other 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 specialism, in order to avoid unnecessary duplication and waste of resources.

7.2 Specific reference is made to the following museum(s)/organisation(s)

- Dingwall Museum
- Finlaggan Trust, Islay
- Glencoe and North Lorne Museum
- Inverness Museum
- Kildonan Museum, South Uist
- Mallaig Heritage Centre
- Museum of Islay Life, Islay
- Museum nan Eilean, Stornoway
- Taigh Chearsabhair, North Uist
- West Highland Museum, Fort William

## 8. Archival holdings

8.1 As the Museum holds archives, including photographs and printed ephemera, the governing body will be guided by the Code of Practice on Archives for Museums and Galleries in the United Kingdom (third edition, 2002).

## 9. Acquisition

- 9.1 On a day-to-day basis, decisions relating to the acquisition of new material for the collection will be taken by the Museum Manager. Where the acquisition of any item has significant financial or procurement implications (e.g. objects costing over £1000, bequests, etc), the matter will be referred to the Museum and Heritage Committee for consideration and approval.
- 9.2 The Museum may acquire material by means of gift, purchase, or bequest. It may also accept loans. Further information on our loans are available in our Loan Agreement, see appendix 1.
- 9.3 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.
- 9.4 The museum may acquire certain items that are not intended to be retained for the permanent collections. These items may be used for educational purposes, including loans to schools and other outreach activities.
- 9.5 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).
- 9.6 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.

## 10. Human remains

- 10.1 As the museum holds or intends to acquire human remains from any period, it will follow the guidelines in the 'Guidance for the Care of Human Remains in Scottish Museums' issued by Museums Galleries Scotland in 2011.

## 11. Biological and geological material

- 11.1 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.

## 12. Archaeological material

12.1 The museum will not acquire archaeological material (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.

12.2 In Scotland, under the laws of bona vacantia including Treasure Trove, the Crown has title to all ownerless objects including antiquities, although such material as human remains and environmental samples are not covered by the law of bona vacantia. Scottish material of chance finds and excavation assemblages are offered to museums through the treasure trove process and cannot therefore be legally acquired by means other than by allocation to the Museum of the Isles by the Crown. However where the Crown has chosen to forego its title to a portable antiquity or excavation assemblage, the Museum Manager or other responsible person acting on behalf of the Clan Donald Lands Trust, 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.

## 13. Exceptions

13.1 Any exceptions to the above clauses will only be because the museum is:

- acting as an externally approved repository of last resort for material of local (UK) origin
- acting with the permission of authorities with the requisite jurisdiction in the country of origin

13.2 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. The museum will document when these exceptions occur.

## 14. Spoliation

14.1 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.

## 15. The Repatriation and Restitution of objects and human remains

- 15.1 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 Scottish Museums' issued by MGS in 2011), 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 16.1-5 will be followed but the remaining procedures are not appropriate.
- 15.2 The disposal of human remains from museums in Scotland will follow the guidelines in the 'Guidance for the Care of Human Remains in Scottish Museums' issued by Museums Galleries Scotland in 2011.

## 16. Disposal procedures

- 16.1 All disposals will be undertaken with reference to the SPECTRUM Primary Procedures on disposal.
- 16.2 The governing body will confirm that it is legally free to dispose of an item. Agreements on disposal made with donors will also be taken into account.
- 16.3 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.
- 16.4 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
- 16.5 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 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. 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.
- 16.6 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 or manager of the collection acting alone.
- 16.7 Once a decision to dispose of material in the collection has been taken, priority will be given to retaining it within the public domain. 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.
- 16.8 If the material is not acquired by any Accredited museum to which it was offered 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 a notice on the MA's Find an Object web listing service, an announcement in the Museums Association's Museums Journal or in other specialist publications and websites (if appropriate).
- 16.9 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.

- 16.10 Any monies received by the museum governing body 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.
- 16.11 The proceeds of a sale will be allocated so it can be demonstrated that they are spent in a manner compatible with the requirements of the Accreditation standard. Money must be restricted to the long-term sustainability, use and development of the collection.
- 16.12 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.
- 16.13 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.
- 16.13.1 In cases where the governing body wishes for sound curatorial reasons to exchange material directly with Accredited or non-Accredited museums, with other organisations or with individuals, the procedures in paragraphs 16.1-5 will apply.
- 16.13.2 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.
- 16.13.3 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 MA'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 (if appropriate).
- 16.13.4 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.

## 16.b Disposal by destruction

- 16.14 If it is not possible to dispose of an object through transfer or sale, the governing body may decide to destroy it.
- 16.15 It is acceptable to destroy material of low intrinsic significance (duplicate mass-produced articles or common specimens which lack significant provenance) where no alternative method of disposal can be found.
- 16.16 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 identified in an organisation's research policy.
- 16.17 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.
- 16.18 The destruction of objects should be witnessed by an appropriate member of the museum workforce. In circumstances where this is not possible, eg the destruction of controlled substances, a police certificate should be obtained and kept in the relevant object history file.

**Appendices**

**Appendix 1: MOTI Loan Agreement**



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**Loan In Terms & Conditions**

Museum of the Isles,

Clan Donald Lands Trust,

Armadale, Sleat, Isle of Skye, IV45 8RS Tel: 01599 534454

Email: museum@armadalecastle.com

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**Museum of the Isles Ref: L.**

I, ..... (hereafter referred to as the Lender), as owner of the item(s) described below have agreed to lend the specified object(s) to Museum of the Isles (hereafter referred to as the Museum) for a period of .....years.

**The duration of the loan shall be from ..... to .....**

Museum of the Isles shall undertake to abide by the following conditions of loan:

**1. Purpose of Loan**

1.1. It is agreed that the item(s) to be loaned are for the following purpose(s) [please tick relevant boxes]:

- Exhibition/Display
- Conservation
- Education/Learning
- Research
- Other.....

**2. Insurance**

2.1. Clan Donald Lands Trust (CDLT) agrees to provide insurance cover for the item(s) described below.

2.2. The Lender shall inform the Museum of the value placed by him/her upon the object(s) to be loaned. In the case of a long term loan it will be the responsibility of the Lender to

institute any review of the value placed upon the object(s). In cases of difficulty the valuation may be referred to an independent assessor.

3. Obligations

- 3.1. The Lender shall inform the Museum if the name or contact details of the person responsible for the loan changes.
- 3.2. The Lender shall inform the Museum of any change in ownership of the item(s) on loan. This Agreement is binding on all heirs and successors to the title of the item(s) on loan.

4. Access

- 4.1. The Lender or Lender's designated officials shall be allowed access to the Museum premise at any reasonable time to inspect object(s).
- 4.2. Access to the item(s) for research purposes by members of the public will be freely available if the physical condition of the item(s) allows, as to which the museum curatorial staff will be the sole judge. Due care and security will be provided if the items are so used.

5. Transportation and packing

- 5.1. Transport arrangements must be discussed and agreed with relevant Museum staff.

6. Security, transport and environmental control

- 6.1. The Museum shall provide a level of environmental control equivalent to that provided for similar objects in its own collection and appropriate to the care of any objects, to the extent necessary to meet accepted environmental standards.
- 6.2. The Museum undertakes to provide a stable environment for the item(s). Unless otherwise specified on the formal condition report, this will be at a temperature in the range 16-20 degrees C and relative humidity in the range 40-60%. The item(s) will not be subjected to excessive light levels.
- 6.3. The item(s) will be housed at the Museum on display or stored at the Museum's discretion. The item(s) will not be removed from the Museum's premises except in an emergency, or with the express written permission of the lender.
- 6.4. The Museum shall maintain a location list of all item(s) on loan and will physically check the presence of the item(s) and their condition at intervals of no less than one year (for long-term loans).
- 6.5. The Museum may use temporary tags to identify loaned item(s) but will not mark objects in a permanent fashion or use adhesive labels of any kind.
- 6.6. Any theft or breach of security during the period of the Loan Agreement will be reported to the Lender, even if the item(s) is not directly affected.

7. Photography and copyright

- 7.1. The owner will retain copyright and intellectual ownerships of the item(s). The owner will/will not\* allow use by the museum for publicity, interpretative or other appropriate purposes. Prior notification and agreement for such use must/need not\* be sought by the museum. Ownership of the item(s) will be acknowledged at all times.
- 7.2. The public may photograph item(s) on display in public galleries for their own private use, including item(s) on loan.
- 7.3. The item(s) may be photographed, sketched, measured, or copied by Museum staff. Copyright for these images will remain with the Museum. This work may be used for:

[Please tick boxes below to indicate your agreement to the following]:

- Armadale Castle and Museum of the Isles website and social media
- Private research and study (non-published)
- Museum/exhibition publicity and marketing material, including press
- Education material (e.g. resources in exhibitions, teacher's packs and school worksheets)
  
- Exhibition panels and stand-alone audio visual displays
- Exhibition merchandise
- Exhibition catalogue

Additional comments:

.....  
 .....  
 .....

8. Acknowledgement

8.1. The Museum will acknowledge the Lender on labels and in any guide or catalogue – YES/NO  
 [delete as appropriate]

Preferred acknowledgement/credit line:

.....  
 .....  
 .....

9. Conservation and condition

9.1. The item(s) will be exhibited in conditions and for a period of time that will not cause any damage to them. The museum curatorial staff will determine the appropriate exhibition conditions for the item(s).

9.2. The Museum shall agree the condition of the item(s) entering its care in consultation with the Lender through a formal condition report, signed by both parties to the loan.

9.3. The Museum will be responsible for the safety of the item(s) on loan to it and will exercise the same care it does with its own collections. Movement will be restricted to a minimum and will be carried out by staff who are experienced in handling museum objects.

9.4. The Museum shall make periodic inspections of the item(s) on loan.

9.5. The item(s) shall not be repaired or altered in any way without the written agreement of the Lender, but necessary routine cleaning will be carried out in conformity with museum practice.

9.6. Any damage or loss to item(s) will be immediately reported to the Lender and a written report, condition report and photographs showing the damage sent within three days. The Museum may take necessary emergency remedial action to protect the item(s) from further damage/danger. No subsequent repair, restoration or conservation will be undertaken without written permission from the lender.

10. Third Parties

10.1. Item(s) will not be lent to a third party without the prior permission of the Lender.

11. Termination of the loan

- 11.1. The loan shall be for a defined period as stipulated above. At the end of this period the loan can be renewed for a further term on the agreement of both parties. The loan can be terminated by either party at any date on the provision of three months' notice. If the Lender does not accept the return of the item(s) at the end of the loan period within one year thereafter, the item(s) shall become the property of the Museum.
- 11.2. At the end of the loan period the Museum will make every reasonable effort to contact the Lender in order to ascertain the Lender's intention with regard to the item(s). This contact will be in the form of an email. If no reply is received within one month, a written letter will be sent first class mail, to the last known address. If no reply is received within three months from the date of the letter, the Museum will take reasonable steps to trace the Lender. If such action is unsuccessful the Museum will, after a further eight months, deem that the Lender has made an unrestricted gift of the Loan item(s) to the Museum. The Museum then reserves the right to accession the item(s) into its permanent collection or dispose of it as it sees fit.
- 11.3. At the point of review, in the event of a delay between the expiry of the previous loan agreement and the issue of a new loan agreement, or the withdrawal of the item(s), the item(s) are held on loan by the Museum under the terms of the previous loan agreement until either a new agreement is issued, or the item(s) are returned.

## 12. Combating Illicit Trade

- 12.1. The Museum operates an ethical loans policy and recognises and complies with the ICOM Code of Ethics and the (UK) Museum Association Code of Ethics. The Museum recognises and complies with the principles of Combating Illicit Trade (DCMS 2005), the UNESCO 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Cultural Property and the Convention on International Trade in Endangered Species of Wild Fauna and Flora. The Museum will not knowingly acquire, borrow or display any work for which there is reasonable cause to believe that the work may have been stolen, illegally exported or illegally imported from its country of origin.
- 12.2. By signing this Loan Agreement, the Lender acknowledges that:
- All due diligence checks have been satisfactorily completed on the item(s)
  - The Lender has exclusive legal ownership of the item(s)
  - The Lender knows of no third party with any legal claim to partial or entire ownership of the item(s)
  - The Lender understands that documentary evidence may be required to substantiate ownership.
- 12.3. The Lender warrants, covenants and agrees that it has no reasonable cause to believe that any object comprised in this loan was stolen, illegally exported or imported from its country of origin, as defined in the *UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, 1970*.

## 13. Assignment

- 13.1. This agreement is personal to the Museum, which shall not assign or transfer any of its rights or obligations under this Agreement, or sub-loan the item(s) to any third party without prior written consent of the Lender.

**14. Governing Law**

14.1. This agreement shall be governed by Scottish law, and the parties agree that the courts of Scotland shall have exclusive jurisdiction in relation to any dispute in respect of this agreement or the loan.



**Loan In Agreement**

**Ref: L.**

**Lender's Details:**

Name:	
Address:	
Postcode:	
Contact number:	
Email:	

**List of requested objects:**

Object Number	Name/Description of Object(s)	Agreed Value

Loan Venue:		Loan Start date:	
Loan Purpose:		Loan End date:	

**Additional Special Conditions:**

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I agree that the description of the item(s) at the start of the loan period is consistent with the information detailed in the description above.

I declare that as Lender, I am the legal owner or authorised agent of the legal owner, having full authority to make this loan, that the above information is correct and that I have read and accepted the conditions of this agreement.

**Signed:** ..... **Date:** .....

**Address:** .....  
.....  
.....

**On behalf of the Museum**

**Signed:** ..... **Date:** .....

**Position:** .....

LENDER: Please sign both copies and return one copy to:

Museum of the Isles  
Clan Donald Lands Trust  
Armadale  
Sleat  
Isle of Skye IV45 8RS

General Data Protection Regulation Statement

The Museum of the Isles collects and holds personal data in line with UK GDPR. Data is held securely within the museum and is collected only for the necessary management of our collections and their exhibition or use for research. Data we collect provides adequate information for the museum to contact donors or lenders regarding their donation/loan.

Data will be retained by the museum permanently for donation, and for the duration of the loan plus one year for items or collections on loan.

Please initial to confirm your consent for the Museum of the Isles to share your data for the sole purpose of necessary management of the loan/donation/gift:

Please initial to confirm your consent for the Museum of the Isles to hold your data for the sole purpose of necessary management of the loan/donation/gift:

For more information on Clan Donald Lands Trust's general privacy policy please see our website:  
<https://www.armadalecastle.com/privacy-policy/>

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*Museum Use Only*

Entry No: \_\_\_\_\_ Location: \_\_\_\_\_

Accession No: .....

Valuation: \_\_\_\_\_ Date: \_\_\_\_\_

Valuer: \_\_\_\_\_

Loan Renewal : \_\_\_\_\_