
(DRAFT) CODE OF ETHICS FOR MUSEUMS

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Introduction

Museums are public-facing, collections-based institutions that preserve and transmit knowledge, culture and history for past, present and future generations. This places museums in an important position of trust in relation to their audiences, local communities, donors, source communities, partner organisations, sponsors and funders. Museums must make sound ethical judgements in all areas of work in order to maintain this trust.

This code supports museums, those who work in and with them and their governing bodies in recognising and resolving ethical issues and conflicts. It sets out the key ethical principles and the supporting actions that museums should take to ensure an ethical approach to their work.

Ethical reflection is an essential part of everyday museum practice. This code cannot contain all the answers to the ethical issues that museums face. Some actions that constitute a breach of the code will be more clearly distinguishable than others. However, in all cases, practitioners should conduct a process of careful reflection, reasoning, and consultation with others, as well as consulting further detailed guidance on key areas of museum practice prepared by the Museums Association (MA) and other bodies.

Application of the code

All museums are bound by national laws and international conventions relevant to museums (see Guidance for details). The code supports this legal framework and sets a standard for all areas of museum practice.

The code applies to governing bodies, to those who work for museums, paid or unpaid, to consultants and those who work freelance, and to those who work for or govern organisations that support, advise or provide services to museums, including the MA. Those working in associated sectors such as archives and heritage organisations may also choose to adopt this code. They should observe the spirit, as well as the letter, of the code.

Museums should proactively champion ethical behaviour. All staff, volunteers and governing bodies should be introduced to the code in order to integrate its principles into their daily work. Some museums will also wish to set up their own internal bodies to ensure a degree of ethical oversight, and can use this code as a reference for decision-making.

The MA expects all institutional, individual and corporate members to uphold and to promote the Code of Ethics for Museums. To achieve Associateship of the Museums Association (AMA) members must demonstrate awareness of the code and the ways in which it is used. To achieve Fellowship of the Museums Association (FMA) members must show that they promote the wider application of the code within museums.

The Code of Ethics

Museums and those who work in and with them agree to uphold the following principles throughout their work:

1. Public engagement and public benefit

Museums and those who work in and with them should:

- actively engage and work in partnership with existing audiences and reach out to new and diverse audiences
- treat everyone equally, with honesty and respect
- provide and generate accurate information for and with the public
- support freedom of speech and debate
- use collections for public benefit - for learning, inspiration and enjoyment

2. Stewardship of collections

Museums and those who work in and with them should:

- maintain and develop collections for current and future generations
- acquire, care for, exhibit and loan collections with transparency and competency in order to generate knowledge and engage the public with collections
- treat museum collections as cultural, scientific or historic assets, not financial assets

3. Individual and institutional integrity

Museums and those who work in and with them should:

- act in the public interest in all areas of work
- uphold the highest level of institutional integrity and personal conduct at all times
- build respectful and transparent relationships with partner organisations, governing bodies, staff and volunteers to ensure public trust in the museum's activities

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Upholding the principle

All those who work in and with museums should:

- 1.1** Provide public access to, and meaningful engagement with, museums, collections, and information about collections without discrimination.
- 1.2** Ensure editorial integrity in programming and interpretation. Resist attempts to influence interpretation or content by particular interest groups, including lenders, donors and funders.
- 1.3** Support free speech and freedom of expression. Respect the right of all to express different views within the museum unless illegal to do so or inconsistent with the purpose of the museum as an inclusive public space.
- 1.4** Ensure that information and research presented or generated by the museum is accurate. Take steps to minimise or balance bias in research undertaken by the museum.
- 1.5** Acknowledge publicly that the museum benefits from all those who have contributed to the making, meaning and presence in the museum of its collections.
- 1.6** Work in partnership with communities, audiences, potential audiences and supporters of the museum.
- 1.7** Ensure that everyone has the opportunity for meaningful participation in the work of the museum.

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Upholding the principle

All those who work in and with museums should:

- 2.1** Preserve collections as a tangible link between the past, present and future. Balance the museum's role in safeguarding items for the benefit of future audiences with its obligation to optimise access for present audiences.
- 2.2** Collect according to detailed, published and regularly reviewed policies that state clearly what, how and why the museum collects.
- 2.3** Accept or acquire an item only if the museum can provide adequate, continuing long-term care for the item and public access to it, without compromising standards of care and access relating to the existing collections.
- 2.4** Conduct due diligence to verify the ownership of any item prior to purchase or loan, and that the current holder is legitimately able to transfer title or to lend. Apply the same strict criteria to gifts and bequests.
- 2.5** Reject any item for purchase, loan or donation if there is any suspicion that it was wrongfully taken during a time of conflict, stolen, illicitly exported or illicitly traded, unless explicitly allowed by treaties or other agreements, or where the museum is co-operating with attempts to establish the identity of the rightful owner(s) of an item.

2.6 Discuss expectations and clarify in writing the precise terms on which all parties are accepting transfer of title. Exercise sensitivity towards donors when accepting or declining gifts and bequests.

2.7 Deal sensitively and promptly with requests for repatriation both within the UK and from abroad.

2.8 Acknowledge that responsible disposal takes place as part of a museum's long-term collections development policy and starts with a curatorial review. Ensure transparency and carry out any disposal openly, according to unambiguous, generally accepted procedures.

2.9 Recognise the principle that collections should not normally be regarded as financially negotiable assets and that financially motivated disposal risks damaging public confidence in museums. Refuse to undertake disposal principally for financial reasons, except where it will significantly improve the long-term public benefit derived from the remaining collection. This will include demonstrating that:

- the item under consideration lies outside the museum's established core collection as defined in the collections development policy
- extensive prior consultation with sector bodies and the public has been undertaken and considered
- it is not to generate short-term revenue (for example to meet a budget deficit)
- it is as a last resort after other sources of funding have been thoroughly explored.

2.10 Refuse to mortgage collections or offer them as security for a loan. Ensure the financial viability of the museum is not dependent on any monetary valuation placed on items in its collections. Resist placing a commercial value on the collections unless there is a compelling reason to do so, and for collections management purposes only.

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3. Individual and institutional integrity

Museums and those who work in and with them should:

- *act in the public interest in all areas of work*
- *uphold the highest level of institutional integrity and personal conduct at all times*
- *build respectful and transparent relationships with partner organisations, governing bodies, staff and volunteers to ensure public trust in the museum's activities*

Upholding the principle

All those who work in and with museums should:

3.1 *Avoid any private activity or pursuit of a personal interest that may conflict or be perceived to conflict with the public interest. Consider the effect of activities conducted in private life on the reputation of the museum and of museums generally.*

3.2 *Avoid behaviour that could be construed as asserting personal ownership of collections.*

3.3 *Avoid all private activities that could be construed as trading or dealing in cultural property unless authorised in advance by the governing body.*

3.4 *Refuse to place a value on items belonging to the public.*

3.5 *Make clear when communicating personally or on behalf of another organisation that views expressed do not necessarily represent those of the museum in which you work.*

In addition, museums and governing bodies should:

3.6 *Carefully consider offers of financial support from commercial organisations and other sources in the UK and internationally and seek support from organisations whose ethical values are consistent with those of the museum. Exercise due diligence in understanding the ethical standards of commercial partners with a view to maintaining public trust and integrity in all museum activities.*

3.7 *Abide by a fair, consistent and transparent workforce policy for all those working in the museum, including those in unpaid positions.*

3.8 *Be sensitive to the impact of the museum and its visitors on natural and human environments. Make best use of resources, use energy and materials responsibly and minimise waste.*

Additional information

The Museums Association

The MA is registered as a charity. It is a non-governmental, independently financed membership organisation providing services to and reflecting the interests of museums and those who work for and govern them.

Development of the Code of Ethics

The MA has acted as the guardian of UK museum ethics since the first Codes of Practice and Conduct were introduced in 1977. These were updated in 1987, 1991, 2002 and 2007. This updated version of the Code of Ethics for Museums outlines ethical principles for all museums in the UK and was agreed following an 18-month consultation process during 2014-15. The development of this code has been a collaborative process involving representatives from across the museum sector, funders, interest groups, members of the public and other stakeholders. This document represents the general consensus of the sector on the ethical standards that are expected of all museums and those who work in and with them.

Role of the ethics committee

The ethics committee of the MA is made up of a number of independent experts drawn from the museum sector and other experts. Its role is to:

- *Develop and monitor the maintenance of sound ethical principles and behaviour within the museum sector.*
- *Give advice and guidance on ethical matters to the museum sector, including MA board and staff.*
- *Recommend to the board amendments to the Code of Ethics where deemed necessary.*

Alleged breaches of the code can be considered by the ethics committee. In some cases, where a museum or museum professional is alleged to have acted unethically, the ethics committee will investigate a matter in order to provide a considered opinion. The committee is also able to report a breach to the director of the MA, who may in turn report the matter to the MA board and disciplinary committee for further investigation and possible sanction.

The Code of Ethics and the law

The Code of Ethics for Museums defines standards that are often higher than those required by law. However, the code cannot override the legal obligations and rights of those who work in or for museums, including those arising from any contractual relationship there may be with an employer or client.

The Code of Ethics for Museums must be subordinate to the legal powers and obligations of governing bodies responsible for museums and the legal powers and obligations of individual members of such bodies. However, the MA believes this code's provisions to be in the best interests of the public and therefore urges all museum governing bodies (and where appropriate, subsidiary, subcontracted or delegated bodies such as executive committees, contractors or managing bodies), formally to adopt it.

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The Code of Ethics and other voluntary standards

Ethical standards developed in this document help to underpin the Accreditation scheme for museums in the UK at an institutional level. Accreditation is administered by Arts Council England in partnership with the Welsh Government, Museums Galleries Scotland and the Northern Ireland Museums Council. Consult www.artscouncil.org.uk/what-we-do/supporting-museums/accreditation-scheme/guidance-documents for further information.

The MA supports the work of specialist organisations in the UK whose members are involved in museum work and who may produce their own codes of ethics and ethical guidelines. The MA can help in cross-referencing to these codes and guidelines and in referring enquirers to appropriate sources of specialist advice.

The Code of Ethics for Museums is consistent with the Code of Ethics for Museums worldwide produced by the International Council of Museums (ICOM). The MA supports ICOM's work.

Glossary

Access – usually seen in terms of identifying barriers that prevent participation and developing strategies to dismantle them. Barriers come in many forms and may be physical, sensory, intellectual, attitudinal, social, cultural or financial.

Audience – individuals and groups who make use of the museum's resources or facilities.

Collection – a body of cultural and heritage material. Collections may be physical, intangible or digital.

Collections development policy – an internal policy document which shapes a museum's collections by guiding acquisition and disposal, and is led by the museum's statement of purpose.

Community – a group of individuals who share a particular characteristic, set of beliefs or attitudes.

Dealing – making a speculative acquisition with the intention of reselling for profit.

Due diligence – ensuring that all reasonable measures are taken to establish the facts of a case before deciding a course of action, particularly in identifying the source and history of an item offered for acquisition or use before acquiring it, or in understanding the full background of a sponsor, lender or funder.

Governing body – the principal body of individuals in which rests the ultimate responsibility for policy and decisions affecting the governance of the museum. Legal title to the assets of the museum may be vested in this body.

Item – a physical, non-tangible or digital object or material held by a museum.

Partner organisation – an organisation with which a museum has built up a formal relationship relating to museum activities or museum funding.

Source community – a group which identifies themselves as a community and would normally be expected to have a shared geographical location, shared cultural or spiritual and religious beliefs and shared language; or to share some of these facets; and which is recognised as the cultural source of items held in a museum collection.