

Natural History Museum Collections Development Policy.

CONTENTS

1.	Introduction and Scope	2
2.	Themes and priorities for future collecting	2
3.	Themes and priorities for rationalisation and disposal	3
4.	Limitations on collecting	4
5.	Collecting policies of other museums	4
6.	Acquisitions not covered by the policy	4
7.	Legal Assessments of Potential Acquisitions and Due Diligence	4
8.	Field Collecting.....	6
9.	Access and Benefit Sharing in Relation to the Convention on Biological Diversity and the Nagoya Protocol.	7
10.	Traditional Knowledge	9
11.	Living Collections	9
12.	Recording of Acquisitions	10
13.	Legal Framework for Disposal.....	11
	13.1 Disposal preliminaries	12
	13.2 Motivation for disposal and method of disposal	13
	13.3 The disposal decision-making process.....	13
	13.4 Responsibility for disposal decision-making	13
	13.5 Use of proceeds of sale	13
	13.6 Disposal by gift or sale	13
	13.7 Disposal by exchange.....	14
	13.8 Documenting disposal.....	14
14.	Destructive and Invasive Sampling.....	15
15.	Archives Acquisition Policy	16
	15.1 Acquisition methods	16
	15.2 Collecting areas	17
	15.3 What is not collected.....	17
16.	Policy review procedure	18

This policy applies to all Natural History Museum employees, contractors, Associates, affiliated students and volunteers. Sections of this policy also apply to formal visitors and users of the collections, particularly in respect to Due Diligence, Access and Benefit Sharing, Destructive and Invasive Sampling.

This policy was approved by the Board of Trustees on 19 February 2019 and shall remain in place until a revision is issued by the Museum Registrar.

Collections Development Policy

1. Introduction and Scope

The Natural History Museum is home to one of the largest and most important scientific natural history collection in the world. The collection, which represents diversity of the natural world, past and present has been gathered over the last 400 years. The museum is committed to sustaining and improving its collections within the framework of the British Museum Act 1963, other legislation and international laws and conventions as ratified by the United Kingdom, for the benefit of all users.

The Collections Development Policy provides an overarching framework covering a number of activities that enhance and develop the Museum's collections through the acquisition of new collections, field collecting, disposals and information gathered as a result of destructive, invasive and non-invasive sampling. The Museum's Collections Development Strategy details the future scope and direction of the collection with regard to the research, exhibitions and other uses it will be required for along with an overview of the collections.

This policy covers all collections as defined in the Collections Governance with the exception of Human Remains. The acquisition, removal, transfer and disposal of Human Remains are covered by Natural History Museum Human Remains Policy; the Human Remains Policy also indicates when these processes are consistent with other collections management policies.

2. Themes and priorities for future collecting

(a) The Museum's primary goals for acquiring items are:

- fulfilment of a research need (either internal or external);
- bridging or filling gaps in collections, to ensure an appropriate breadth and depth of coverage;
- scientific (or scholarship) importance;
- scientific voucher specimens;
- significance to the history of the discipline;
- potential for public exhibition or education.

To fulfil these goals the Museum acquires items through:

- fieldwork and collecting both in the UK and overseas funded by external bodies such as Research Councils and from internal sources;
- donations and bequests from scientists working at other institutions, members of the public and other organisations;
- donations from artists;
- exchanges and transfers from other cultural heritage organisations worldwide;
- purchase, e.g. at relevant fairs, auctions and specialist suppliers.

In each case the Museum will only acquire items to fulfil these goals and by these methods if it reasonably believes¹:

- the donor or collector legally entered the Providing Country; and
- the item was collected legally in the Providing Country (e.g. permits were in place); and
- the item was legally removed from the Providing Country (e.g. export and import documents were in place).

¹ Excluding modern library acquisitions.

If there are uncertainties relating to provenance the curatorial staff or registrars will consult with colleagues and use their professional judgement making an assessment as to whether the item should be acquired.

For further details of the Museums requirements for Due Diligence see Section 7 Legal Assessments of Potential Acquisitions and Due Diligence.

- (b) The Museum may occasionally acquire items which may be inherently hazardous due to their natural composition or may contain residual pesticide and preservative chemicals in accepting such acquisition the curator will make an assessment of the risks and consult the Museum's Health & Safety Manager for advice.
- (c) Occasionally the Museum may accept "orphaned" collections that fit with our primary goals for acquisition from other institutions which can no longer provide appropriate resources for their care. This is subject to assessment by the curatorial staff and transfer of ownership.
- (d) Any offer of an item or items for the collections may be accepted in whole, in part, or be declined. The Museum's curatorial staff will determine the suitability of a proposed acquisition (in consultation with others as needed) and may not accept the acquisition if, for example, it unnecessarily duplicates existing holdings, if the subject matter is outside the scope of the collections development strategy, if the item(s) are in poor physical condition, or if there are donor restrictions the Museum cannot honour. However, on occasion the Museum may accept items with future exchanges in mind. If the Museum receives unsolicited items for acquisition it reserves the right to use the item(s) as it deems appropriate, including disposal.
- (e) All acquisitions accepted by the Museum are subject to the terms and conditions of a legal contract.

3. Themes and priorities for rationalisation and disposal

- (a) The Museum is bound by the provisions of the British Museum Act 1963, (see Section 13 Disposal). Within this framework the disposal of collections, particularly by exchange, transfer or gift, (both of registered and acquired items) is a vital part of collections development. The Museum's primary goals for disposal and rationalisation are as follows.
 - The distribution of types or collections to other institutions across the world (by transfer or gift) from under-collected fieldwork areas. This is disciplinary practice in some collections, for example botanical collections, where botanic gardens and herbaria work together as part of an established exchange and collections enhancement concept.
 - The sharing of exemplars across institutions to mitigate against loss and facilitate access through all exemplars not being held in a single institution.
 - The sharing of exemplars to reduce the impact of fieldwork nationally and internationally.
 - The enhancement of on-going research projects and enhancing the Museum collections.
 - The development of significant networks and building opportunities in other countries.
 - Return of items not owned by the Museum which, following research, have an identifiable owner.
 - Return of items (e.g. types) in line with clauses in Material Transfer Agreements and Permit requirements, etc., associated with the application

of Access and Benefit Sharing legislation in Countries of Origin (and under the Nagoya Protocol where applicable).

4. Limitations on collecting

- (a) 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. It will take into account limitations on collecting imposed by such factors as staffing, storage and care of collection arrangements. Consequently curatorial staff will assess each item (or group of items) before acquisition to ensure adequate standards of care, conservation and documentation can be applied to the item; that the item is fit for the purpose for which it was acquired and that the item has been legally collected in the Providing Country.
- (b) The Museum shall not normally acquire items that do not fulfil these criteria; exceptions to this are provided in Section 7 below.
- (c) The Museum shall not accept an item if the acquisition can be directly perceived as a commercial endorsement.

5. Collecting policies of other museums

- (a) 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.
- (b) The Museum shall endeavour to avoid knowingly entering into competition for the acquisition of an item with any other UK museum or relevant UK institution. To prevent such competition the Museum shall assess the item by taking account of other UK museums' and UK institutes' collecting policies and make a decision on whether the item would be more appropriately acquired by them.

6. Acquisitions not covered by the policy

- (a) Acquisitions outside the current stated policy will only be made in very exceptional circumstances. In such cases the request will be passed to an acquisitions panel comprising the Heads of Collections and Registrar for proper consideration, having regard to the interests of other museums. If that panel fails to reach agreement it will be passed to the Director of Science who will then consult the Director and the Trustees.

7. Legal Assessments of Potential Acquisitions and Due Diligence

- (a) 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 Trustees or responsible officer are satisfied that the Museum can acquire a valid title to the item in question.
- (b) In particular, 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 Providing Country (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 'Providing Country' includes the United Kingdom).
- (c) Consequently the Museum follows the following recognised principles and international standards.

- i. 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, and the Dealing in Cultural Objects (Offences) Act 2003, the museum will reject any items that have been illicitly traded. The Trustees 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.
 - ii. The Museum shall not knowingly acquire, by any direct or indirect means, any biological or geological specimen that has been collected, sold or otherwise transferred in contravention of any national or international wildlife protection or natural history conservation regulation, law or treaty of the UK or any other country, except with the express consent of an appropriate outside authority. In the UK this includes the Wildlife and Countryside Act 1981. Relevant international instruments include the Convention on the International Trade in Endangered Species of Wild Fauna & Flora 1975, Convention on Biological Diversity, 1992 and the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization (ABS) to the Convention on Biological Diversity 2010. In the context of the Nagoya Protocol the Museum will not acquire items intending to change the nature of the use of the items.
 - iii. The Museum will not acquire archaeological antiquities (including excavated ceramics) in any case where the Trustees or responsible officer has any suspicion that the circumstances of their recovery involved a failure to follow the appropriate legal procedures. In England, Wales and Northern Ireland the procedures include reporting finds to the landowner or occupier of the land and to the proper authorities in the case of possible treasure as defined by the Treasure Act 1996. In Scotland, under the laws of *bona vacantia* including Treasure Trove, the Crown has title to all ownerless objects including antiquities. Scottish archaeological material cannot therefore be legally acquired by means other than by allocation to The Natural History Museum by the Crown. Where the Crown chooses to forego its title to a portable antiquity, a Curator or other responsible person acting on behalf of the Trustees of The Natural History Museum, 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.
 - iv. The Museum will use 'Spoliation of Works of Art during the Holocaust and World War II period: Statement of Principles and Proposed Actions', issued by the National Museum Directors' Conference in 1998, and report on them in accordance with the guidelines.
 - v. Field collections made on the Museum's behalf by its staff, students and associates must be accompanied by an assessment of the Collections Impact completed by the trip leader, prior to departure, which includes information on all relevant permits and agreements that have been gathered or will be gathered in the Providing Country. This fulfils the Museum's requirements for due diligence and ensures that the acquisition fulfils the statements made within this policy. Refer to Section 8 for details relating to Field Collecting.
- (d) Any exceptions to the above clauses will only be because the Museum is:
- i. acting as an externally approved repository of last resort for material of local (UK) origin;

- ii. acquiring an item of minor importance that lacks secure ownership history but in the best judgement of experts in the field concerned has not been illicitly traded;
 - iii. acting with the permission of authorities with the requisite jurisdiction in the Providing Country;
 - iv. in possession of reliable documentary evidence that the item was exported from its country of origin before 1970 .
- (e) In exceptional circumstances the Museum may acquire through the relevant law enforcement agencies items whose legality is questionable; in these 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.

8. Field Collecting

- (a) The collection of natural history items from the field is fundamental to the development of the Museum's collections and to the science undertaken in the Museum.
- (b) Individuals collecting under the auspices of the Museum including employees, affiliated students, formal visitors, contractors, volunteers and associates (hereafter referred to as Museum staff) who are undertaking fieldwork that involves the study and collection of biological, geological, archaeological or ethnographic material will only do so in accordance with the laws and pertinent regulations of the sovereign nation in whose territory they are working.
- (c) Museum staff will abide by Health and Safety requirements defined by The Head of Health & Safety.
- (d) Museum staff will not undertake collecting for commercial sale purposes.
- (e) Fieldwork outside the UK that involves collecting geological and biological material shall be conducted, as far as is possible, in collaboration with an appropriate local partner for example with a museum, university, or other recognized industry or commercial partners and scientific research organization.
- (f) The Museum may enter into formal collaborative fieldwork or research ventures outside the UK with relevant organisations. In this case the parties will develop a Memorandum of Understanding (MoU) or a local agreement. A MoU is undertaken when there is a strategic museum-wide vision and is signed by the Director or Director of Science.
- (g) The Museum and its staff should be aware of species, locations and habitats protected under local, national or international, law or regulations, or international conventions. Protected species must not be deliberately collected, acquired and exported except with prior formal and documented approval of the appropriate authorities in the country concerned. In addition, staff are expected to undertake a detailed impact and benefit assessment for any protected species that are collected, including consideration of whether there are already suitable specimens in any existing collections.
- (h) If staff consider acquiring specimens in markets or other indirect sources, the following considerations must be addressed:
 - Before acquisition, the staff member must confirm whether the specimen is a protected species under local, national or international law or conventions, or from a protected population, location or habitat. If this is the case, acquisition and export may only proceed as outlined in (g) above.
 - If the specimen is not a protected species or from a protected population, area or habitat, the staff member must make and document judgement, informed by local evidence, that acquisition is ethically appropriate in terms of: possible rarity of the species or population; possible origins in

poaching or other illegal activity; impact of hunting or fishing; connection to illegal or legal wildlife or cultural property trade; the presence of alternative specimens in any existing collection; the reliability of data on origin; unintended market stimulation; and possible impacts on traditional or indigenous livelihoods.

- (i) No Museum staff shall accept specimens (botanical, biological, mineralogical or palaeontological) similarly protected which are presented by third parties without appropriate permits and documentation.
- (j) All material entering the Museum as a result of fieldwork must be documented in the Collections Management System (CMS), including the associated permissions.

9. Access and Benefit Sharing in Relation to the Convention on Biological Diversity and the Nagoya Protocol.

- (a) The United Kingdom has ratified The Nagoya Protocol to the Convention on Biological Diversity. The Museum will abide by international and national laws and regulations relating to Access and Benefit-sharing, arising from both the Nagoya Protocol and Convention on Biological Diversity. The Museum complies with the *Nagoya Protocol (Compliance) Regulations 2015* which is the UK Statutory Instrument implementing the EU Regulations – [(EU) No. 511/2014 and Implementing Regulation (EU) 2015/1866] on compliance measures.
- (b) The Museum acquires genetic resources² through fieldwork with partners in the Providing Country³ (*in situ* collections) and from *ex-situ* sources through donation, purchase, bequest and exchange by third parties. These genetic resources may be made available to Museum staff and authorised visitors for non-commercial research in areas such as systematics, ecology, conservation, genetics, morphology, physiology, molecular biology, genomics, environmental genomics and science supporting sustainable use. This may include examination of associated specimens such as symbionts and parasites, and contents of the gut. Such work may involve making anatomical and cytological preparations, carrying out isotope analysis, and sampling for pollen, spores, and/or chemicals; DNA, RNA, proteins or other biomolecules may be sequenced or otherwise analysed. Such analyses may result in complete destruction of the material.
- (c) The Museum will share benefits⁴ arising from its utilization⁵ of genetic resources fairly and equitably with the Providing Country and other appropriate stakeholders. It will strive to share benefits arising from the new utilization of genetic resources accessed or otherwise acquired prior to the entry into force of the Nagoya Protocol, as far as reasonably possible, in the same spirit as for those acquired thereafter; in particular the new commercialisation of genetic resources.
- (d) When acquiring genetic resources through fieldwork Museum staff will, if required by national or sub-national legislation or regulation, obtain Prior Informed Consent⁶ from the appropriate authority in the Providing Country and

² Genetic material (any material of plant, animal, microbial or other origin containing functional units of heredity) of actual or potential value. Interpretation of what constitutes a genetic resource, access to or utilisation of that resource, may be varied by the Country of Origin.

³ The country which possesses genetic resources in in-situ conditions.

⁴ Monetary or non-monetary benefits are listed in the Annex to the Nagoya Protocol.

⁵ To conduct research and development on the genetic and/or biochemical composition of genetic resources, including through the application of biotechnology as defined in Article 2 of the Convention on Biological Diversity.

⁶ Permission given by the competent national authority of a provider country to a user prior to accessing genetic resources, in line with an appropriate national legal and institutional

- from any other stakeholders (e.g. Traditional Knowledge Holders); staff will negotiate Mutually Agreed Terms⁷, and ensure that benefits generated are shared in accordance with these agreements and otherwise as appropriate.
- (e) The Museum will use items entering or exiting the Museum for the purposes of identification, acquisition, incoming or outgoing research loan or as disposal, from both *in situ* (e.g. through staff fieldwork in the Providing Country) and *ex situ* (through collecting activities of third parties) sources, in ways that are consistent with the terms under which the items were collected. This applies to all research carried out on Museum premises, and by staff and others working elsewhere on Museum collections as a part of their research. This includes research on private collections held by staff and others that might reasonably be considered as a part of their Museum-related activities. The staff member responsible for any given transaction (e.g. research loan, donation etc) is accountable for ensuring compliance with the terms under which the items were collected and compliance with the requirements of the UK Statutory Instrument, e.g. the researcher requesting a loan for research purposes is responsible for requesting the terms and conditions for access and complying with these.
 - (f) The not-for-profit nature of the work of the Museum and many of its partnering institutions means that the Museum is rarely involved in commercialisation⁸ of its genetic resources. Therefore benefits generated from the research undertaken are most likely to be non-monetary. The benefits shared will differ depending on the circumstances and what has been negotiated with the Providing Country. Typical non-monetary benefits might include scientific training, education, capacity building, transfer of technologies, collaboration on scientific work programmes, and the mutual sharing of research results and of associated publications. What is fair and equitable will vary from case to case.
 - (g) Although it is a not-for-profit institution as part of its mission, the Museum investigates the natural world and its constituents for taxonomic and other scientific research purposes and this research may lead to the discovery of potential commercial uses of certain genetic resources.
 - (h) The Museum will not commercialise any genetic resources without the prior informed consent of the Providing Country and any bodies within that country as required, including local communities if required by national or sub-national legislation or regulation at the time of access. The Museum will notify the Providing Country as soon as is practical. If appropriate the Museum will negotiate an agreement with the Providing Country setting out agreed terms of fair and equitable benefit-sharing in accordance with the Convention on Biological Diversity 1992 and the Nagoya Protocol.
 - (i) Where Museum research is conceived with the aim of discovering and developing marketable products, such projects will be governed by specifically negotiated agreements with Providing Countries that set out agreed terms of fair

framework, and setting out what can be done with the resources, i.e. what a user can and cannot do with the material.

⁷ An agreement reached between the providers of genetic resources and users on the conditions of access and use and the benefits to be shared between both parties.

⁸ Applying for, obtaining or transferring intellectual property rights or other tangible or intangible rights by sale or licence or in any other manner, commencement of product development, conducting market research, and seeking pre-market approval and/or the sale of any resulting product based on utilization of the original genetic resource or derivatives thereof. Handling fees (e.g. for providing DNA samples), entrance charges etc, fall under the scope of management and/or administration of public research facilities, do not involve the utilization of Genetic Resources, and are not considered as a commercialization of research activity on Genetic Resources.

and equitable benefit-sharing in accordance with the Convention on Biological Diversity and Nagoya Protocol.

- (j) Should the Museum wish to commercialise any genetic resources collected before the Convention on Biological Diversity came into force (29th December 1993), the Museum will, as far as is possible, share benefits fairly and equitably.
- (k) The Museum does not sell biological material from its collections for commercial purposes.
- (l) The Museum has an open data policy with respect to its scientific collections. However it will not make information resulting from research, or the primary data associated with that information, publicly available on databases where this is in contravention of agreements with Provider Countries or relevant stakeholders of those countries, or might infringe third party rights in accordance with the Natural History Museum Intellectual Property Policy.
- (m) The Museum will not informally share information resulting from research, or the primary data associated with that information, where this is in contravention of agreements with countries of origin or relevant stakeholders of those countries, or might infringe third party rights in accordance with the Natural History Museum Intellectual Property Policy.

10. Traditional Knowledge

- (a) There are no standard definitions for Traditional Knowledge (TK) or many of the terms associated with the discussions of TK. CBD defines TK as the knowledge, innovations and practices of indigenous and local communities (ILCs). It includes traditional agricultural knowledge and the sustainable use of biodiversity, the customary use of medicines as well as traditional handicrafts and other cultural expressions; it has intrinsic value to the cultural, spiritual and societal lives of indigenous communities. The preservation and protection of TK as it relates to biodiversity and the sharing of benefits arising from its use is covered by the Convention on Biological Diversity (CBD) 1993. In 2010 the CBD agreed an international regime on Access and Benefit Sharing, the Nagoya Protocol, Articles 7 and 12 of the protocol deal specifically with TK.
- (b) The Museum will comply with any legally defined framework for the protection of TK in countries of origin. If there is no legal framework the Museum will have regard to general practices within the Providing Country relating to TK.

11. Living Collections

- (a) Living items enter the Museum for different reasons, for example:
 - as part of Research projects (e.g. snails and associated schistosomes; forensic live blowflies and maggots; aquaria; algal plant cultures; soils);
 - as part of collections management (e.g. Dermestariums);
 - as transient cultures - live rearing of field collected immature stages to adult (e.g. mosquitoes etc.);
 - 'functional cell' frozen samples for projects such as Cryoarks;
 - for learning activities such as invertebrates gathered in the Wildlife Garden;
 - as identification enquiries;
 - for display in the Museum's Galleries, most commonly as Loans (see the Natural History Museum Access and Information Policy Section 11 on Incoming Exhibition Loans).
- (b) These living animals, plant and microorganisms are only kept at the Museum as part of approved research or collection management projects, or exhibitions. In all cases the leader of the project or facility is responsible for ensuring any

licences and permits are in place and ensuring secure housing is organised prior to acquisition and/or display.

- (c) When acquiring live specimens for research or sourcing specimens either through loan or acquisition for exhibition the Museum will ensure that items are procured legally and ethically.
- (d) The Museum takes moral, ethical and legal responsibility to manage cultures and collections of living animals, plants and microorganisms, used in museum displays or for research purposes, to the highest standards.
- (e) When introducing living displays of plants to a gallery environment, care must be taken to use only sterile growing materials; spray regularly against insect pests using biological methods of control wherever practicable; provide adequate ventilation, and monitor the effect of watering and transpiration on humidity levels in the surrounding air spaces; and maintain suitable facilities for acclimatising newly acquired plants to the light levels and temperatures prevailing within the gallery.
- (f) In collecting, researching or displaying living organisms the Museum will maintain the acceptable standards required for the health and welfare of the organism concerned regardless of the perceived status of the species/organism itself. The following conditions should be met.
 - i. The display of live animals at the museum must fully meet all legal requirements for the display of live animals.
 - ii. The use of live vertebrates will be subject to ethical review which will set out requirements for the approval of the project, as well expectations relating to the monitoring of the animals' living conditions and care records.
 - iii. All staff responsible for the care and maintenance of the display animals should be appropriately trained in care and handling procedures.
 - iv. Contractors that undertake programmes or other activities at the museum involving live animals hold the appropriate approvals under appropriate local legislation.
 - v. Live animals are only used for display when they can be looked after appropriately, a plan is in place for after the close of the exhibition and when they can form part of an important message about the natural world helping the Museum to fulfil its vision to advance our knowledge of the natural world, inspiring better care of our planet.
 - vi. Impacts on the animals are monitored and, if any adverse impacts are detected, the museum shall immediately review the display and determine whether the exhibit/ activity should continue.
 - vii. Long-term live collections should adhere to the Code of Ethics formulated by the World Association of Zoos (WAZA) 2003.
- (g) Any disposal of a living collection must comply with UK legislation and permit requirements as advised by the Department for Environment, Food & Rural Affairs (DEFRA) and Museum biological waste protocols.
- (h) The provisions of the Health and Safety at Work Act, 1974 applying to zoos and all relevant Natural History Museum Health and Safety Policies must be observed; advice from the Museum's Health and Safety Unit should be sought when setting up work protocols.
- (i) The Museum holds 'functional cell' frozen samples (for projects such as CryoArks). The Museum will develop separate guidance on the stewardship, curation (including cell culture equipment and facilities) and on the ethical management for frozen viable cells.

12. Recording of Acquisitions

- (a) All new acquisitions must be digitally recorded in the CMS or Library and Archives Management systems.

- (b) All new acquisitions to the Earth, Life and Library Special Collections must be given a valuation so the museum can comply with the requirements of Financial Reporting Standard 30, the accounting standard used by the UK Treasury. Further details of the Museum's approach to Valuation can be found in Section 5 of the Collections Access and Information Policy.
- (c) The Museum will only register items into the permanent collections of which it can demonstrate ownership. Not all items acquired by the Museum under this acquisition policy will be registered into the permanent collection.
- (d) Items acquired for learning or exhibition purposes may be recorded as either object entries or acquisitions and will not normally form part of the permanent collection.

13. Legal Framework for Disposal

- (a) The Museum is governed by the 1963 British Museum Act⁹. Disposal is dealt with in Section 3 (4) which states that "Objects vested in the Trustees as part of the collections of the Museum shall not be disposed of by them otherwise under section 5 or 9 of this Act." Section 5(1-3) and Section 9(1-2), give provision for the Trustees to dispose of objects that are part of the collections under specific conditions. Section 5(1) sets out 3 sets of circumstances

5 Disposal of Objects

1 *The Trustees of the British Museum may sell, exchange, give away or otherwise dispose of any object vested in them and comprised in their collection if-*

- (a) *the object is a duplicate of another such object, or*
- (b) *the object appears to the Trustees to have been made not earlier than the year 1850, and substantially consists of printed matter of which a copy made by photography or a process akin to photography is held by the Trustees, or*
- (c) *in the opinion of the Trustees the object is unfit to be retained in the collections of the Museum and can be disposed of without detriment to the interests of students.*

In addition disposals can only be made if the Trustees agree the recommended disposal is not inconsistent with a specific condition attached to the gift or bequest by the donor.

Section 5(2) gives provision to destroy or otherwise dispose of objects if they are useless for the purposes of the Museum by reason of damage, physical deterioration or infestation by destructive organisms.

Section 5(3) states that any money accruing to the Trustees through disposal of objects will be used to purchase objects to be added to the collections. This is a concept which has been fundamental to the museum since additional powers were granted to the Trustees in 1767.

Section 9(1-2) enables transfer from the British Museum (Natural History) (now the Natural History Museum) to institutions listed in the First Schedule of the National Gallery and Tate Gallery Act 1954¹⁰. This last section was repealed by

⁹ Full text of the British Museum Act 1963 can be found at <http://www.legislation.gov.uk/ukpga/1963/24/contents>

¹⁰ Full text of the National Gallery and Tate Gallery Act 1954 can be found at <http://www.legislation.gov.uk/ukpga/Eliz2/2-3/65/contents>

the Museums and Galleries Act 1992 which increased the list of institutions items could be transferred between.¹¹

- (b) The Human Tissue Act 2004¹² changed this framework by enabling a number of museums to return human remains. The return of Human Remains is covered by the Natural History Museum Human Remains Policy.
- (c) The Holocaust Right to Return Act 2009¹³ enabled 17 museums and galleries including the Trustees of the Natural History Museum to return to victim's items of property seized during the holocaust and which had ended up in the collections of those institutions.
- (d) The disposal of Archives is covered by the Public Records Act 1958¹⁴ whereby the Museum follows a formal process in consultation with the National Archives.

13.1 Disposal preliminaries

- (a) The Trustees will ensure that the disposal process is carried out openly and with transparency.
- (b) By definition, the Museum has a long-term purpose and holds collections in trust for society in relation to its stated objectives. The Trustees therefore accept the principle that sound curatorial reasons for disposal must be established before consideration is given to the disposal of any items in the museum's collection.
- (c) The Museum will confirm that it is legally free to dispose of an item, agreements on disposal made with donors will be taken into account, as will agreements made with States of Origin relating to items covered by the Convention on Biological Diversity 1992 and the Nagoya Protocol 2010.
- (d) The Museum will ensure that Genetic Resources collected in Providing Countries where conditions and clauses are documented in Prior Informed Consent and Mutually Agreed Terms are exchanged or gifted to the Recipient with the details of those terms and conditions. The transfer will be subject to the terms and conditions of a legal contract requiring the recipient to abide by the conditions and clauses under which the material was originally acquired.
- (e) 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.
- (f) The Museum, in common with many other libraries, archives, museums, botanic gardens and herbaria worldwide, recognises the importance of developing collections where there is long-held ethic of sharing through reciprocal gift and exchange. Consequently such enhancement programmes are the normal route of dispersal of material from the Museum's collections, particularly for algae, fungi and plants, library monograph and serials, insects and minerals.
- (g) In exceptional circumstances the Museum may exchange items with private individuals, this will only be done in circumstances where there is a clear public

¹¹ Full text of the Museums and Galleries Act 1992 can be found at <http://www.legislation.gov.uk/ukpga/1992/44/contents>

¹² Full text of the Human Tissue Act 2004 can be found at <http://www.legislation.gov.uk/ukpga/2004/30/contents>

¹³ Full text of the Holocaust Right to Return Act 2009 can be found at <http://www.legislation.gov.uk/ukpga/2009/16/contents>

¹⁴ Information on the Public Records Act 1958 can be found at <http://www.nationalarchives.gov.uk/information-management/legislation/public-records-act.htm>

benefit e.g. for rare reference material that is not held by any other public institution.

13.2 Motivation for disposal and method of disposal

- (a) When disposal is motivated by curatorial reasons the procedures outlined in paragraphs 13.3-13.8 will be followed and the method of disposal may be by gift, sale or exchange.
- (b) The MUSEUM will not undertake disposal motivated principally by financial reasons.

13.3 The disposal decision-making process

- (a) Information regarding how Governance and decision making processes for the collections are delegated can be found in Section 7 of Introduction and Governance of the Natural History Museum Collections.
- (b) The decision to dispose of material from the collections is only taken after full consideration of the reasons for disposal. Other factors including the 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. External 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 when appropriate.

13.4 Responsibility for disposal decision-making

- (a) A decision to dispose of a specimen or item, 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), is delegated by the Trustees to the professional curatorial staff as set out in the Museum's Authority Framework, it is not the decision of the curator of the collection acting alone.
- (b) A list of all disposals approved by the either Director or the Director of Science shall be presented at Trustees Quarterly Meetings.

13.5 Use of proceeds of sale

- (a) Any monies received by the museum Trustees from the disposal of items will be applied for the benefit of the collections and must be used in the purchase of items to be added to the Collection (Section 5(3) of the British Museum Act).

13.6 Disposal by gift or sale

- (a) Once a decision to dispose of items in the collection has been taken by the relevant curatorial team, and the disposal is not part of an enhancement programme as described in 13.1f the following shall apply.
 - Priority will be given to retaining it within the public domain, unless it is to be destroyed. It will therefore be offered in the first instance, by gift or sale, directly to other Accredited Museums likely to be interested in its acquisition.
 - If the material is not acquired by any Accredited Museums to which it was offered directly 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 an announcement in the Museums Association's *Museums Journal*, and in other specialist journals where appropriate.

- 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.

13.7 Disposal by exchange

- (a) Exchanges of duplicate items to institutions with similar collections e.g. archives, libraries, natural history museums, botanic gardens and herbaria worldwide are carried out routinely by the Museum's professional curatorial staff to support the development of the collections as described in Sections 2 and 3. Consequently 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 Museum will therefore ensure that issues relating to accountability and impartiality are carefully considered to avoid undue influence on its decision-making process.
- (b) In circumstances where the Museum does not wish to exchange items as part of an agreement with an international partner as described in 13.7a the Museum will follow the process in section 13c-g below.
- (c) Under certain circumstances the Museum may exchange an item outside the UK public sector where there can be demonstrable public benefit for doing so.
- (d) In cases where the Trustees 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 16.7e-g will be followed.
- (e) 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.
- (f) If the exchange is proposed with a non-accredited museum, with another type of organisation or with an individual, the museum will make an announcement in the Museums Journal and in other specialist journals where appropriate.
- (g) 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 Trustees must consider the comments before a final decision on the exchange is made.

13.8 Documenting disposal

- (a) 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 Procedure¹⁵ on deaccession and disposal. This means that:
 - for all disposals of items both registered or acquisitioned either a Natural History Museum Transfer Agreement Form or Exchange Agreement Form must be completed;

¹⁵ <https://collectionstrust.org.uk/spectrum/spectrum-5/>

- copies (the originals remain at the Museum) of all associated item data and collection archives will accompany all items being deaccessioned by whatever means;
- when an item is disposed of by gift or exchange a copy of all permits, Prior Informed Consent and Mutually Agreed Terms and other documents associated with the Nagoya Protocol such as Internationally recognised Certificates of Compliance, or other appropriate documentation, will be provided to the recipient;
- a detailed written record of all disposals and dispersals relating to registered items must be made in the CMS.

14. Destructive and Invasive Sampling

- (a) Analytical techniques can provide new information about items and collections; they are an important form of collections development through enhancing what is known about a collections item. The Museum will consider applications for the destructive or invasive sampling¹⁶ of its collections. However the collection is a finite resource and it is important that requests for access are balanced with the need for the long term preservation of the collection for future generations. As the purpose of permitting destructive and invasive sampling is the gathering of knowledge requests are considered on the basis of benefit to the Collection and Museum as well the merits of the research and feasibility of the methods amongst other factors outlined below. The Museum expects benefits to be recognised and delivered.
- (b) Application is by written application to the Divisional Curator in Charge¹⁷ only. The requirement to apply to sample the collections applies to Museum staff, including temporary and fixed term appointments, post-doctoral students, PhD and MSc Students, Scientific Associates, Honorary Research Fellows, long term visitors and volunteers.
- (c) Approval in principle for destructive sampling should be sought from the Divisional Curator in Charge in the first instance in advance of external funding requests being submitted. The Museum will not take into account funding decisions when making assessments of requests.
- (d) The Museum's professional curatorial staff will evaluate the request using their experience and expertise, consulting for specialist advice where appropriate. The evaluation will be based on the following criteria.
 - How abundant in the collection is the material of the particular biological or palaeontological species or mineral, geological or extra-terrestrial material in question or is the request for an important subset of that species or material?
 - Can alternative material be used or collected for the purpose? Should the application be to a different institution where the material is more abundant? How much damage will damage will the sampling do?

¹⁶ Sampling or subsampling may include preparation of items for thin section; sequencing; or removal of part of a specimen for chemical analysis. It can result in the removal of part of an item or its total destruction

¹⁷ In Life Sciences these are the Principal Curators in Charge of Algae, Fungi & Plants, Insects, Invertebrates, Vertebrates and the Task Force Manager. In Life Sciences these are the Principal Curator in Charge of Vertebrates and the Senior Curators in Charge of Environmental & Economic Geology, Human Remains & Anthropology, Invertebrates & Plants, Mineral & Planetary Sciences and the Task Force Manager. In Library and Archives these are Head of Collections Operations, Head of Researcher Services & Digital Delivery and Library Special Collections Manager. For simplicity these roles are referred to "Divisional Curators in Charge".

- Is there a non-destructive alternative or is one likely to be developed sufficiently soon?
 - Will the results justify the sacrifice?
 - Has a pilot study been done, i.e. will the method work?
 - What is the track record of results by the research group requesting the samples?
 - Will someone in the future want to repeat the work on the same specimens? i.e. will the specimen be reduced further?
 - What other methods of study, known or potential, are prevented by allowing this destructive action?
 - What is normal taxonomic practice in this classificatory group?
 - Is the material type or figured and/or historically important?
 - Are there restrictions placed on the sampling by the Providing Country?
- (e) Permission to sample rare or unique material may only be granted in exceptional circumstances, e.g. type specimens, historically important items, extinct or endangered species; or biological taxa, mineral species, geological or extra-terrestrial material that are poorly represented in the collections.
- (f) Investigations or analysis which result in the complete destruction of a registered item, constitute a deaccession and disposal and therefore must also comply with Section 13 Legal Framework for Disposals.
- (g) If approved the sample will be made available under a set of terms and conditions which will include the information to be returned to the Museum, e.g. providing copies of the data gathered, return of any unused sample, etc. The terms and conditions will include any restrictions or requirements that may apply regarding the use or publication of items to ensure and obligations with respect to Access and Benefit Sharing are fulfilled.
- (h) The Museum may insist that the work is done within the Museum and/or by the Museum's own staff.
- (i) The Museum may decline any destructive or invasive sampling request. The applicant will be informed in writing of the reason for the refusal. Applicants may appeal against a refused request in writing to the relevant Head of Collections. Any appeal request should include information that responds to the reasons given for refusal.
- (j) The Museum may decide to recover any costs it incurs in fulfilling destructive and invasive sampling requests. Such charges may be offset through the delivery of non-monetary benefits to the collection and Museum. If charges are to be levied, the applicant will be informed, in writing, of the expected cost. The applicant must agree to pay these costs before sampling can proceed.

15. Archives Acquisition Policy

The Museum Archives hold the records of the Natural History Museum, documenting its administrative, scientific and public engagement work. Natural History Museum records are classed as Public Records and The Museum retains its archives on site as it has been designated as a Place of Deposit by The National Archives.

15.1 Acquisition methods

- (a) Records both analogue and digital normally pass from their creators in the Museum to the Archives through the records management process, subject to retention schedule information in the Museum's Information Asset Registers. Occasionally collections come direct from departments or individuals as ad hoc transfers.

- (b) While the bulk of material acquired by the Archives will come from within the Museum, opportunities will be taken to acquire material from external sources which sheds light on the history of the Natural History Museum, the Geological Museum and the Natural History Museum at Tring. Specific subject areas for external acquisition are:
- museum collections (documentation created/authored by Museum staff)
 - museum buildings
 - exhibitions and other public engagement activities
 - scientific research and expeditions sponsored by the Museum
 - former members of staff.
- (c) Other than in exceptional circumstances, all material transferred to the Archives will be treated as a donation as there is no dedicated budget for purchases. Loans are not accepted.
- (d) All material offered to the Archives is rigorously appraised to assess the value of the information it contains and its relation to material already held in the collection. The final decision on acceptance rests with the Museum Archivist. Material judged to be ephemeral or duplicate, and therefore not suitable for the Archives, will be disposed of with reference to the transferring department/donor as appropriate.
- (e) Once accessioned into the Archives, records will be preserved permanently and catalogued as soon as possible. However, if for logistical reasons a large collection of papers has been accessioned in bulk before a detailed appraisal has been carried out, the Archives reserve the right to weed the collection and dispose of items prior to cataloguing.

15.2 Collecting areas

- (a) The Archives collect records which document:
- management and administration of the Museum and departments;
 - policy and strategy development and implementation;
 - external relations;
 - collections management;
 - scientific research and expeditions;
 - public engagement (e.g. exhibition development, learning activities);
 - resource management (e.g. finance, personnel, estates);
 - museum publications (e.g. final pre-publication content, publicity material, internal publications).

15.3 What is not collected

- (a) Archives of other organisations or societies (some may be found in the Library & Archives Special Collections – including organisations based in the Museum, or where Museum staff have been involved in formation or administration).
- (b) Papers of “unofficial” staff e.g. scientific associates (unless they were previously members of staff) and volunteers.
- (c) Personal papers of staff without any reference to their Museum work.
- (d) Published material (other than exceptional cases e.g. small annotated amounts within a larger collection of archival material).
- (e) Documentation accompanying collections acquired by the Museum (this can be found in the Library & Archives Special Collections)

16. Policy review procedure

The collections development policy will be published and reviewed from time to time, at least once every five years. The date when the policy is next due for review is noted below.

Arts Council England will be notified of any changes to the collections development policy and the implications of any such changes for the future of existing collections.

Document Owner:	Registrar
Name of governing body:	Trustees of the Natural History Museum
Date of approval by governing body:	19 February 2019
Date at which this policy is due for review:	19 February 2024