

Council Policy No.:	CP2024-XXX
Council Policy Name:	Corporate Art Collection and Management Policy
Date Approved by Council:	
Date revision approved by Council:	
Related SOP, Management Directive, Council Policy, Forms	Archives Policy CP2021-037; Artifact Policy CP2022-011; Public Art Policy CP2021-035; CP2022-009 Repatriation of Indigenous Artefacts and Remains to, and Sharing Archival Information with, First Nations; Archives Acquisition Management Directive MD2022-004; Artifact Acquisition Management Directive 2022-XXX; Archival Exhibition Policy CP2024-XXX

Purpose:

To provide guidelines to city staff, elected officials, and potential donors regarding the acquisition, management, and access to the City of Kawartha Lakes and its predecessor municipalities' art heritage collection. It will ensure compliance with all professional museum and archival standards developed and endorsed by the Province of Ontario, the Canadian Museums Association, the Association of Canadian Archivists, the Ontario Museum Association, and the Archives Association of Ontario.

Objectives:

1. Mandate

- a) To define the conditions and criteria under which the City of Kawartha Lakes will acquire and preserve works of art which best reflect the social and cultural heritage of the City;
- b) To document the collection of according to professionally recognized standards;

- c) To maintain and protect the collection through both proactive and reactive conservation methods including management by professionally trained staff, environmentally controlled storage, adequate security, and the use of acid-free materials;
- d) To make the collection available to the public to demonstrate the unique social and cultural history and current social and cultural context of the City of Kawartha Lakes and its predecessor municipalities through displays, exhibits, and loans;
- e) To have a collection of sufficient scope and range to show diverse views and interpretations of the history of the City of Kawartha Lakes and its predecessor municipalities;
- f) To increase the understanding and enjoyment of local history and contemporary art as they pertain to the history and culture of the City and its predecessor municipalities; and
- g) To define the conditions and criteria under which the City of Kawartha Lakes will de-accession works of art from the city collection.

Public access to the City's collection is one of the primary objectives and to this end the majority of the collection will be on display in public areas of City Hall and in reception and meeting areas of other spaces occupied by the city where the pieces are safe and monitored.

2. Risk Management

In managing the City's art collection, staff must adhere to the Code of Ethics as stated by both the Canadian Museums Association and the Association of Canadian Archivists.

The City of Kawartha Lakes must comply with Canadian and Provincial laws and with international conventions and treaties signed by Canada regarding illegal export and import of cultural property including, but not limited to:

- a) *Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act*
- b) *The Cultural Property Export and Import Act*;
- c) *The UNESCO "Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property 1970*;
- d) *The Ontario Heritage Act*; and
- e) Any subsequent revisions or replacements of these Acts or Conventions.

In situations where issues related to copyright arise, the City of Kawartha Lakes will comply with:

- a) *The Copyright Act*;
- b) *The Municipal Freedom of Information and Protection of Privacy Act*; and
- c) Any subsequent revisions or replacement of these Acts

Authorities

The policy does not apply to:

- Local historical societies, boards or art heritage sector staff that have ownership and control over its own historical art collection and records.

Administration

CP2021-037 and CP2022-011 of the Corporation of the City of Kawartha Lakes set the principals and parameters by which the Archival Services and Artifact Collection programs for the City of Kawartha Lakes and its predecessor municipalities shall be run.

CP2021-037 and CP-2022-011 establish the guidelines for researchers, elected officials, and staff for the acquisition, description, care and preservation, access, and loan of artifact and archival items in the City collections.

All described collection management activities will be in alignment with article 70 of the United Nations Declaration on the Rights of Indigenous People (UNDRIP) and Council Policy CP2022-009 Repatriation of Indigenous Artefacts and Remains to, and Sharing Archival Information with, First Nations.

Scope:

This policy is intended to govern the ways in which the City of Kawartha Lakes recognizes the importance of community culture as detailed through works of art. Through the strategic management of the municipal art collection the City of Kawartha Lakes commits to ensuring the ongoing significance to the municipality as a whole.

1.00 Definitions:

“**Accession**” means (1) the physical and legal transfer of custody of an item into a repository’s permanent collection; (2) the documentation of the transfer of items into a register or database or otherwise recording the addition of items into the permanent collection of a repository;

“Art” means the expression or application of human creative skill and imagination, typically in a visual form such as painting or sculpture, producing works to be appreciated primarily for their beauty or emotional power.

“Artist” means the person generally recognized by their peers, critics, and other art professionals as committed to producing works of art on a regular basis;

“Artifact” means an object created or produced by humans; a product of human art, craft, or workmanship;

“Acquisition” means the act of obtaining physical and legal ownership of an item such as artifacts, art, and archival materials;

“Collection” means (1) a group of materials with some unifying characteristics; (2) materials assembled by a person, organization, or repository from a variety of sources;

“De-accession” means the process by which an archives or museum permanently removes accessioned materials from its holdings;

“Disposition” means a materials final destruction or transfer to an archives as determined by their appraisal;

“Provenance” means information regarding the origins, custody, and ownership of an item or collection;

“Public Area” means a place frequented by the general public, including but not limited to, the interior (foyers, concourses, outer offices, waiting areas, conference rooms, council chambers, sports and recreation facilities, city offices) and exterior of City owned buildings. Public areas may also include, but are not limited to, other exterior spaces owned by the City such as parks, cemeteries, civic gathering spaces, boulevards, streets, and bridges;

“Relief” means an image that is formed by variations in the surface depth

2.00 Roles and Responsibilities

Under the direction of the City Clerk, the administration of the Art Collection policy will be the responsibility of the Manager, Corporate Records and Archival Services as well as the development of associated management directives and standard operating procedures.

Policy:

1. Acquisition

1.1. General Acquisition Requirements

- 1.1.1. Acquisitions into the City's Art Collection may be made by donation, exchange, bequest, purchase, or be commissioned by the City of Kawartha Lakes.
- 1.1.2. Acquisitions must be made with a view to permanency and not for the purposes of eventual disposition.
- 1.1.3. Legal title must be ensured to be conveyed in written form and the authenticity, source, and provenance of the object must be fully documented and ethically acceptable. The City of Kawartha Lakes Manager, Corporate Records and Archival Services/City Archivist or Curatorial Collections Office, Economic Development must make every reasonable effort to ascertain the authentication of a work of art that is possible and ensure that the City can assume all legal and valid titles to it.
- 1.1.4. Any work of art to be acquired must be processed into the collection following all applicable procedures and/or management directives.
- 1.1.5. Any work of art acquired from other organizations must be transferred in accordance with the policies and procedures of that organization.
- 1.1.6. Works of art generated by the City of Kawartha Lakes or acquired by Council or staff in the course of their duties may also be considered to become a part of the overall city collection if they meet the required criteria.
- 1.1.7. If a work of art is acquired directly from the artist (or donor if applicable), it must be ensured that royalty, reproduction, exhibition, and moral rights, as well as installation plans, are negotiated and documented.
- 1.1.8. If a work of art is deemed to be important to the history and/or culture of the City of Kawartha Lakes and to the scope of collection but cannot be collected, for whatever reason, the City will endeavor to make a complete documentary record of the object using printed, visual, and/or audio media.

1.2. Ethics of Acquisition

The City of Kawartha Lakes will not acquire a work of art:

- a) which has been collected, sold, or otherwise transferred in contravention of and Provincial or Federal statute;
- b) which has been collected, sold, or otherwise transferred in contravention of the 1970 UNESCO Convention on the Means of Prohibiting and Preventing Illicit Import, Export and Transfer of Ownership of Cultural Property, or other similar statutes, as ratified by Canada on June 28, 1978; and
- c) where in addition to or beyond the preceding clauses, there is any reason to believe that the recovery of the work of art involved recent unscientific handling and/or intentional destruction or damage of archaeological/historical sites or illegal/clandestine excavations; or which has questionable undetermined or unethical history of ownership.

1.3. Acquisition Criteria

A work of art may be acquired if it meets all of the essential acquisition criteria and for a specific collection if it meets at least one of the specific acquisition criteria.

The City of Kawartha Lakes must not acquire any work of art with the intention of eventual deaccessioning.

1.3.1. General Essential Acquisition Criteria

In order to be considered for the City of Kawartha Lakes Art Collection all works of art, in any form, must meet the following essential acquisition criteria:

- a) to strengthen and add to existing series of works or the overall scope of the collection;
- b) be informed by or identifiably associated with the City of Kawartha Lakes or one of its predecessor municipalities;
- c) be supported by documentation and other articles/records providing provenance;
- d) have the capacity to be placed on display without hindrance to public access or safety, and without breaching the artist's moral rights;
- e) have the necessary resources (human, financial, temporal, special) allocated to resolve all foreseeable issues related to conservation, preservation, storage, research, exhibit, and interpret the artwork;

- f) be a quality example that will be a significant addition to the collection;
- g) be a suitable subject matter for a public venue;
- h) not be a duplication; and
- i) not involve any conditions of acquisition that restrict the use of or disposition of the work(s) or art in accordance with the City of Kawartha Lakes policies and professional standards.

1.3.2. Specific Acquisition Criteria – City Artifact Collection

A work of art is recommended for acquisition into the City Artifact Collection if it meets the following criteria:

- a) is a gift, award, or purchase by a City or Council representative in the course of official Council business or was created as a course of business by the City of Kawartha Lakes (or predecessor municipality) depicting a major event, activity, or initiative and is not considered to be an active record; and
- b) is a 3-dimensional work of art including but not limited to sculpture, pottery, relief, casting, welding stone or wood carving, fountain, or glass art;
- c) is a craft in any material or combination of materials such as clay, fibre, textiles, wood, glass, metal, plastic, etc.

1.3.3. Specific Acquisition Criteria – City Archive Collection

- a) is a gift, award, or purchase by a City or Council representative in the course of official Council business or was created as a course of business by the City of Kawartha Lakes (or predecessor municipality) depicting a major event, activity, or initiative and is not considered to be an active record; and
- b) is a 2-dimensional work of art including but not limited to sketch work, water colour painting, oil painting, print, digital material, or photograph.

If an object is determined by the Curatorial Collections Officer and the City of Kawartha Lakes Archivist to be better served by one program collection over another, the piece of work shall be transferred into the program best suited to care and preserve it. Documentation and description shall reflect such decision and reasons.

1.4. Acquisition Exceptions

If a work of art is of the utmost importance to the collection and the potential donor insists on certain conditions of use or disposition, Manager, Corporate Records and Archival Services/City Archivist, in consultation with the Manager of Economic Development or with the City Clerk respectively depending on which program the artwork will be under, may consider making an exception to the acquisition criteria.

1.5 Acquisition Approvals

Approval for all acquisitions is granted subject to the artwork being the only property of the owner. Should acquisition be dependent upon purchase, city staff will seek direction from Council.

2 De-accessioning

Although deaccessioning happen rarely it is still occasionally necessary to de-accession a work of art or works of art.

The City of Kawartha Lakes must do its utmost to ensure any de-accessioned work(s) of art remain in public trust and is retained in Canada.

The City of Kawartha Lakes will de-accession a work of art for the purposes of repatriation, if it is legally proven that another body, organization, people, and/or government has legal and ethical right to the work of art.

When and where the de-accession involves a transfer of ownership and/or responsibility, the appropriate documentation and forms must be completed.

Funds resulting from de-accession (proceedings from a sale) must be directed toward the City of Kawartha Lakes Heritage Reserve Fund or Art Maintenance fund. It is important to note that any monies received as a result of a de-accession must not be utilized to fund other initiatives.

If the value of any single work of art recommended by the Curatorial Collections Officer, Economic Development or Manager, Corporate Records and Archival Services/City Archivist is under \$5,000 the decision to de-accession will be made by the CAO on recommendation through the Manager of Economic Development or the Manager, Corporate Records and Archival Services/City Archivist respectively.

If the value of any single work of art recommended by the Curatorial Collections Officer, Economic Development or Manager, Corporate Records and Archival Services/City Archivist is over \$5,000 the decision to de-accession will be made by the CAO on recommendation through the Manager of Economic Development or the Manager, Corporate Records and Archival Services/City Archivist respectively and approved through Council. The method of disposal will be selected by the Manager of Economic Development, based on the advice of the Curatorial Collections Officer, Economic Development, or the Manager, Corporate Records and Archival Services/City Archivist and subsequent approval by Council.

2.1 De-accessioning Criteria

- a) Be of minimal value or significance to the collection and/or City of Kawartha Lakes or its predecessor municipalities' history;
- b) Be of poor quality, condition, or be a duplicate;
- c) Lack documentation verifying authenticity, and/or origins, and/or chronological history, and/or donor(s);
- d) Involve prohibitive conservation expenses;
- e) Allow for upgrading of the Collection by means of exchange or other transaction.

3. Collection Care

3.1. Collection Management

- 3.1.1. All works of art in the Artifact and Archival Collections must be stored and handled according to current professional standards.
- 3.1.2. Records must be maintained and updated according to current professional standards and staff resources.
- 3.1.3. Objects must be researched, interpreted, and exhibited according to current professional standards.
- 3.1.4. All new acquisitions must be appraised for tax receipts and insurance purposes.
- 3.1.5. A comprehensive inventory of all works of art in the Art Collection must be maintained in order to ensure current information is available for management and insurance purposes.
- 3.1.6. In the event of accidental loss, damage or destruction of a work of art in the Art Collection, the Manager, Corporate Records and Archival Services

must be notified, and a written report s ubmitted for file in a timely fashion.

3.2. Collection Documentation

All works of art within the City of Kawartha Lakes Art Collection must be accessioned and catalogued according to current standards and procedures. Records of all works of art on the City Art Collection must be classified to allow for accessibility of information for purposes of research, exhibition, and programming both internally and externally. An electronic database of collection records must be maintained by the City and each item must be individually numbered.

The collection database must:

- a) record essential information, including but not limited to valuations, loans, condition, location, identifying features, provenance, and legal requirements;
- b) document the significance of the work of art;
- c) record an image of each object;
- d) be regularly maintained and updated;
- e) be kept secure through back-up procedures and the most appropriate available technology

Access to the Art Collection records must be in alignment with the Municipal Freedom of Information and Protection of Privacy Act.

3.3. Valuation and Insurance

3.3.1. The Art Collection must be insured by the City.

3.4. Storage

3.4.1. Works of Art not on display will be labelled appropriately and held secularly in the Art Collection storage are according to current standards.

3.4.2. City staff will monitor storage areas on a regular basis, with maintenance of those areas undertaken regularly.

3.5. Conservation and Handling

3.5.1. Works of Art for priority conservation will be listed annually.

3.5.2. Priority works of art will be assessed and treated by professional conservators as funds allow.

3.5.3. Only staff trained in preservation will move the works of art in the Collection.

3.5.4. A work of art will not be displayed in a place that puts it at risk of damage, accelerated deterioration, or where the item's security is threatened.

4. Access

Access to the Art Collection is provided by trained staff. The following access services will be implemented:

- a) digital access through a database;
- b) reproduction services for images;
- c) supervised research access;
- d) loans to qualified organizations;
- e) display throughout City facilities; and
- f) exhibitions at outside repositories

Revision History:

Proposed Date of Review:

Revision	Date	Description of Changes	Requested By
0.0	[Date]	Initial Release	