

Art Collection Development and Access Policy

Section 1 - Purpose and Context

(1) Western Sydney University's Art Collection dates back to 1989, when its former network members, Hawkesbury, Macarthur, and Nepean were first brought together. The Art Collection includes artworks comprising a diverse range of paintings, works on paper, photographs, mixed media sculptures and ceramics.

(2) This Policy defines how Western Sydney Creative will develop, manage, and use of the University's Art Collection.

(3) This policy should be read in conjunction with the:

- a. [Asset Management Policy](#)
- b. [Conflict of Interest Policy](#)
- c. [Copyright Policy](#)
- d. [Delegations of Authority Policy](#)
- e. [Donations and Fundraising Policy](#)
- f. [Health Safety and Wellbeing Policy](#)
- g. [Intellectual Property Policy](#)
- h. [Procurement Policy](#)
- i. [Records and Archives Management Policy](#)
- j. [Risk Management Policy](#)

Section 2 - Definitions

(4) For the purpose of this Policy, definitions that apply can be found in the [Policy DDS Glossary](#) and the following:

- a. Greater Western Sydney is defined by the following Local Government Areas: Blacktown, Blue Mountains, Camden, Campbelltown, Canterbury-Bankstown, Cumberland, Fairfield, Hawkesbury, Liverpool, Parramatta, Penrith, The Hills and Wollondilly.
- b. Art Collection means the recognised holdings of art acquired under the defined parameters for acquisitions and approvals under this Policy. Other University collections may contain artworks that do not form part of the Art Collection such as collections held by the library, archives and the Division of Infrastructure and Commercial.

Section 3 - Policy Statement

(5) The Art Collection will support teaching, learning and research, and serves – in alignment with broader University strategy – as a platform for community engagement.

(6) The Art Collection will enrich the experience of university life for students, staff and the wider community and supports the University's strategic objectives.

(7) The Art Collection will be promoted as a significant social and cultural resource which engages with the community

within Greater Western Sydney.

(8) Artworks that are acquired by schools or administrative units of the University not under this Policy are not regarded as part of the Art Collection, and responsibility for their care and management remains with the school or unit.

Part A - Art Collection Development

(9) Development of the Art Collection is framed by the [Western Sydney Creative Arts and Cultural Decadal Strategy 2019 - 2029](#) and aligns with Western Sydney Creative's exhibition program and the following priorities to:

- a. Recognise, respect and invest in Indigenous Australian Arts
- b. Create opportunities to promote and support the artistic practices of Australian Women Artists
- c. Amplify local voices, practices and perspectives to ensure the collection reflects the culturally and linguistically diverse communities of Western Sydney
- d. Acknowledge and support the alumni (students and staff) of Western Sydney University through acquisitions and commissions
- e. Investment in artworks that have the capacity to demonstrate social and cultural practices and meanings for diverse audiences
- f. Invest in artworks deemed to have particular value in the University's research, teaching programs and that improve the livability and amenity of the University's campuses.

Part B - Acquisitions

(10) All acquisitions for the Art Collection will be negotiated and managed on terms that are ethical, responsible and transparent to public scrutiny and will maintain the University's standing and reputation for collecting excellence.

(11) In developing the Art Collection, due diligence will undertake to ensure that the University acquires artworks with valid title, established provenance and authenticity and that have not been identified as having been unlawfully appropriated, illicitly traded, looted or illegally obtained. Prior to acquisition, regardless of method, the artwork ownership will be thoroughly researched.

(12) Where relevant, consultation will be undertaken with appropriate individuals, groups, communities or statutory bodies within Australia as part of acquisition proposal and assessment of an artwork considered for acquisition.

(13) Where relevant, consultation will be undertaken in accordance with any University Indigenous cultural and intellectual property protocols where the artwork was created by an Aboriginal or Torres Strait Islander artist, designer, individual or group, or contains Aboriginal or Torres Strait Islander themes, representations or content, relates to an Aboriginal or Torres Strait Islander community or to the traditional knowledge, cultural expressions or beliefs of Aboriginal or Torres Strait Islander peoples.

(14) Artwork may be acquired for the Art Collection through purchase, commission, donation, the Cultural Gifts Program, transfer of title, bequests and gifts as defined in the University's [Gifts and Benefit Policy](#).

(15) To make a valid donation to the Art Collection, there must be clear intention on the part of the donor to transfer title and possession of the artwork. It is essential prior to the donation that the transfer of both possession and title is validated as absolute and unencumbered.

(16) No conditional donations or permanent loans will be accepted. Extended loans for an established period can be negotiated as per the Incoming Loans section of this Policy.

(17) Items offered to the University for the Art Collection under the [Cultural Gifts Program](#) will also be assessed in

accordance with the [Cultural Gifts Program Guide](#).

(18) Artworks will be acquired for the Art Collection where the University has the capacity to store, manage, document and preserve those artworks, including the management of any risk to health, safety and wellbeing posed by the artwork.

(19) Artworks will be acquired for the Art Collection that are in good condition, suitable for research or display, and not requiring extensive conservation work or treatment.

(20) All acquisitions to the Art Collection, including artwork internally transferred from Schools and administrative units, will be considered on their merit, in accordance with this Policy and Art Collection development priorities.

(21) All acquisitions to the Art Collection will be assessed and endorsed for acquisition by the Western Sydney Creative Advisory Committee.

(22) All endorsed acquisitions will be subject to the University purchase approvals.

(23) The approver must hold the relevant delegation under the [Delegations of Authority Policy](#) to purchase assets.

(24) The University will not seek to acquire or knowingly borrow any Indigenous Australian cultural property that may have been unlawfully appropriated, illicitly traded, looted or illegally obtained and is committed to maintaining the highest standards of due diligence, including ethical and professional practice, and in accordance with applicable laws to ensure all acquisitions and loans are legitimate and legal.

Part C - Display and Access

(25) The Art Collection is a valuable resource for students, staff and the wider community and will be displayed throughout the University's premises.

(26) The display of the Art Collection on University premises with variable environmental and security conditions will be assessed considering the long-term preservation of the artworks.

(27) Operational limits will apply for the display of the Art Collection on University premises. The cost recovery of installation and transport costs may be applied.

(28) Authorised restriction/removal/relocation of artworks from display may occur at any time.

(29) Individual requests for physical access to the Art Collection will be assessed by Western Sydney Creative for bona fide research, educational, or traditional cultural purposes.

(30) Western Sydney Creative will consider requests for the loan of objects in the Art Collection to other universities, galleries, museums, and organisations holding collections.

(31) The University will establish an on-line public database of the Art Collection.

Part D - Indigenous Australian Repatriation

(32) The University is committed to repatriating Indigenous Australian cultural property to the traditional owners/rightful custodians and complying with the Australian legal requirements and ethical standards in relation to the repatriation of Indigenous Australian cultural property, including adherence to the principles outlined in the [Australian Government Policy on Indigenous Repatriation](#), recognising the value and importance of preserving, revitalising and strengthening Indigenous Australian culture.

(33) The University acknowledges and recognises the continuing connection that Indigenous Australian people have to

Indigenous Australian cultural property held in the Art Collection as detailed in University Indigenous cultural and intellectual property processes and protocols.

(34) The University acknowledges and recognises that Indigenous Australian peoples have the right to maintain, control, protect and develop the cultural and intellectual property rights of their heritage as recognised in the [United Nations, Declaration on the Rights of Indigenous Peoples 2008](#).

(35) The University fully supports the [UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property 1970](#) and recognises that Australia has ratified the convention. The University also acknowledges and is bound by the [Protection of Cultural Objects on Loan Scheme Guidelines 2015](#).

Part E - Deaccession

(36) The University will manage its Art Collection according to international best practice in collection management recognising that deaccession and disposal of material from the collection is an essential aspect of intentional and sustainable collection development and management to ensure the whole collection is maintained to an optimum level.

(37) In considering the deaccession of any artwork from its Art Collection the University will observe national and international regulations and cultural sensitivities pertaining to any artwork.

(38) The same careful assessment will be applied to the decision to deaccession artworks from the Art Collection as to the decision to acquire artworks.

(39) Only artworks that have been accessioned into the University Art Collection can be deaccessioned.

(40) Artworks proposed for deaccession from the Art Collection will be assessed based on meeting usually at least two of the following criteria:

- a. The relevance of the artwork, that is, the artwork does not conform to or is not consistent with the functions of the University Art Collection.
- b. The significance of the artwork, that is, the artwork so lacks historic; artistic, aesthetic or research potential; or social or spiritual qualities that its contribution to the Art Collection is minimal.
- c. The artwork lacks any supporting documentation to enable its proper identification or to establish its relevance to the Art Collection.
- d. The artwork is found to have been falsely documented, described or attributed, or to be a forgery and of limited historic; artistic or aesthetic; scientific or research potential; or social or spiritual merit to the Art Collection.
- e. The artwork requires extensive conservation to enable its retention and/or extensive restoration to be of use and the expense of this in staff time/financial resources is disproportionate to its significance.
- f. Storage requirements for the artwork are such that the projected expense of its long-term retention is unattainable or not justified by its significance.
- g. The artwork duplicates another in the Art Collection.
- h. The artwork is the subject of a substantiated claim of ownership by another party or has been the subject of prior illicit trade such that the University does not have legal title. This includes provenance or title claims from traditional owners, or rightful custodians or owners.
- i. The artwork contains a material that poses an immediate threat to health and safety or poses a risk to other artworks in the Art Collection. The significance of the artwork must be weighed against the potential risk to safety.

(41) All deaccessions are to be formally proposed by the Curator: Collections and Cultural Programme with reference to the above criteria, endorsed by the Director, Western Sydney Creative and Western Sydney Creative Advisory

Committee and the approver must hold the relevant delegation under the [Delegations of Authority Policy](#) to dispose of assets.

Part F - Disposal

(42) Artworks will be disposed of in a manner beneficial to the Art Collection and may include sale, exchange, gift or destruction.

(43) Proceeds from the sale arising from de-accession of an artwork will normally be used for purposes of Art Collection development.

(44) Proceeds arising from the de-accessioning of artwork acquired through gifts or bequests will be used to acquire replacement artworks which will carry the same credit line.

(45) Pursuant to the [Resale Royalty Right for Visual Artists Act 2009 \(Cth\)](#), when artworks are commercially resold for over \$1000, five per cent of the sale price will be paid to the visual artist.

Section 4 - Procedures

Part G - Acquisitions and Approvals

(46) Research and due diligence to confirm provenance and authenticity will be managed by the Curator: Collections and Cultural Programme prior to proposing an artwork for acquisition using Australian and international best practice, including the [Ministry for the Arts Australian Best Practice Guide to Collecting Cultural Material](#), [Museums Australia's Code of Ethics](#) and the [ICOM Code of Ethics for Museums](#).

(47) Acquisition proposals are prepared by the Curator: Collections and Cultural Programme and approved by the Western Sydney Creative Advisory Committee before progressing for funding.

Part H - Records, Storage and Conservation

(48) The Curator: Collections and Cultural Programme will use appropriate registration and collection management standards to ensure materials in the Art Collection can be identified, located and tracked including using an industry-standard collection management system to catalogue and maintain documentation of the Art Collection.

(49) Copyright attribution of the author/artist/creator will be included at registration and written approval filed with the accession in the Art Collection database.

(50) Records for all deaccessioned or disposed artworks, including decision making and approval process for each disposal, will be kept in the Art Collection data base.

(51) The University will strive to protect its Art Collection from harm by identifying, evaluating, limiting, managing, and mitigating risk and in maintaining facilities best suited for meeting its custodial obligations.

(52) The Curator: Collections and Cultural Programme will manage the physical Art Collection storage areas in accordance with sound and considered environmental control standards, utilising appropriate storage materials, furniture, systems and supports, storage layout, cleaning and maintenance schedules, and traffic management practices to minimise risks to the Art Collection.

(53) The Curator: Collections and Cultural Programme will manage and follow the conservation philosophy of minimal intervention, use of sympathetic materials, the principle of reversibility, and the compatibility of materials.

(54) Conservation work will be undertaken by reputable, qualified conservators, and decisions about conservation treatments will be based on current conservation advice and practices, and in consultation with the artist or their representatives where appropriate.

(55) The Art Collection will be protected from natural or human caused disasters, and foreseeable and preventable risks, on University premises, the facilities of borrowers, or in transit. Risk minimisations include:

- a. Western Sydney Creative will monitor/be advised of environmental threats to University premises to assess the impact on the Art Collection
- b. Only authorised personnel, as authorised by Western Sydney Creative may move artworks belonging to the Art Collection
- c. Western Sydney Creative with the Division of Infrastructure and Commercial will undertake annual stocktaking and condition inspection of all works on public display
- d. Western Sydney Creative will undertake annual stocktaking and condition inspection of all works in storage
- e. All changes of location will be recorded on the Art Collection management database
- f. The Art Collection will be covered by the University's insurance policy
- g. Office of Finance will carry out a program of valuations of the Art Collection conducted by independent valuers.

Part I - Incoming Loans

(56) Incoming loans will normally only be accepted for specific exhibitions or research and for fixed periods of time.

(57) Artworks offered on an extended loan basis will only be accepted where there is clear intent to donate the work to the University at a future date.

(58) A representative of both Western Sydney Creative and the lender will be required to sign an agreed inward loan agreement. This form will record conditions of the loan and the period of the loan.

(59) The same care will be exercised with respect to loans as for the University's Art collection.

(60) Loans will remain in the possession of Western Sydney University for the time specified in the loan agreement. A renewal of loans can be requested. Documentation recording renewal must be signed by the Director, Western Sydney Creative and the lender.

Part J - Outgoing Loans

(61) Outgoing loans must be approved under the relevant delegation under the [Delegations of Authority Policy](#).

(62) Borrowers and a representative from Western Sydney Creative will be required to sign an outward loan agreement.

(63) The outward loan agreement will record condition of the loan and the period of the loan.

(64) The borrower must exercise care in the handling, storage and display of the loan object and must be prepared to meet the conditions outlined in the outward loan agreement.

(65) The borrower will provide a secure display and/or storage area.

(66) The maximum loan period is 12 months.

(67) Applications for extension of the period may be accepted and must be made prior to the loan expiry date.

(68) Artworks cannot be treated or altered in any way without the written permission of Western Sydney Creative.

(69) Artworks on loan must remain in the possession of the borrower until returned to the University.

Part K - Process of Deaccession

(70) In the event that artwork by a living artist is considered for deaccession, special considerations may apply, and every reasonable effort will be made to first inform the artist.

(71) Where feasible, the University will notify living donors, or the immediate heirs or trustees of the Estate of deceased donors, or trustees of corporate donors, of the intention to deaccession artworks donated by them by means of gift or bequest.

(72) Artworks donated to the University under the [Cultural Gifts Program](#) may be deaccessioned in accordance with this policy, but under the CGP scheme cannot be returned to the donor as the donor has already received the benefit of a tax deduction for the donation.

(73) Where the University is unable to locate the artist, donor, trustee, executor or personal representative, the artwork may still be deaccessioned.

Section 5 - Guidelines

(74) Related collections are:

- a. Western Sydney University Library Collection
- b. Western Sydney University Archives
- c. Western Sydney University Historical Collection held by the Division of Infrastructure and Commercial

Status and Details

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Glossary Terms and Definitions

"Program" - A program of study consisting of at least four subjects or 40 credit points leading to an award of the University (Foundation Studies Program, Undergraduate Preparation Program, Diploma, Advanced Diploma, Undergraduate Certificate, Associate Degree, Bachelor Degree, Bachelor Honours Degree, Graduate Certificate, Postgraduate Certificate, Graduate Diploma, Postgraduate Diploma and Masters by Coursework Degree) which when successfully completed is conferred on the graduand by the Board of Trustees.