

LOANS POLICY

I INTRODUCTION

- 1.1 From time to time it is appropriate for Darlington Railway Centre & Museum to borrow items of historical significance from museums, other organisations or private individuals. Comparably, it is also sometimes appropriate for the museum to lend items from its collections.
- 1.2 The purpose of this Policy is to regulate the approval and management of both outgoing and incoming loans. In doing so, it seeks to meet two objectives. Firstly, to minimise any risk the Council may face of a claim from a lender alleging that items of their property in the museum's care have been stolen, lost, destroyed or damaged. Secondly, to safeguard items from the museum's own collections loaned to others by ensuring that such items are appropriately cared for by their borrowers.
- 1.3 This Policy follows the procedures for loans outlined in SPECTRUM: the UK Museum Documentation Standard.

2 AUTHORITY AND RESPONSIBILITY

- 2.1 The Director of Development and Environment, as advised by the Council's senior museum professional, will have delegated authority for approving and terminating both incoming and outgoing loans consistent with this Policy.
- 2.2 The following general exceptions to this position are noted:
 - (i) where, in the view of the Council's senior museum professional, an incoming loan might involve significant financial implications in terms of its movement or ongoing care; or
 - (ii) where, in the view of the Council's senior museum professional, the nature of an incoming or outgoing loan might attract an adverse public reaction.

In such circumstances, the prior approval of the Director of Development and Environment will be required.

- 2.3 Any decision by the museum to temporarily or permanently terminate the loan from the National Railway Museum of S&DR 0-4-0 No 1 Locomotion will require Cabinet approval in advance. Comparably, any notice by the National Railway Museum that they wish to remove the locomotive from the museum's care will be reported to Cabinet.

- 2.4 Responsibility for the security and physical care of incoming loans will be delegated to the Council's senior museum professional. Equally, the senior museum professional will be regarded as responsible for ensuring that outgoing loans are monitored, and that borrowers are taking all reasonable steps with regard to the security and physical care of items in their possession.

3 OUTGOING LOANS

- 3.1 Any item from the museum's collections may, at the discretion of the Director of Development and Environment, as advised by the Council's senior museum professional, be loaned to an accredited museum, other organisation or private individual provided that:
- (i) the item is not currently required by the museum for public display;
 - (ii) appropriate arrangements will be put in place by the borrower for the item's physical care, to safeguard its security, and to insure it against all risks for an agreed value;
 - (iii) the borrower can provide sound and sufficient justification for wishing to borrow the item; and
 - (iv) the terms of the loan are recorded in writing over the signatures of authorised representatives of both the museum and the borrower.
- 3.2 It is accepted that in certain circumstances it may be proper for the museum to actively seek to place an item on loan with another accredited museum, other organisation or private individual.
- 3.3 By agreement between the parties, the duration of an outgoing loan may be for any stated period up to ten years. Where circumstances have not materially changed on either side, an outgoing loan that has naturally reached the end of its term may be renewed as many times as is felt desirable by both parties, although never for a period exceeding ten years at any one time.
- 3.4 Where an outgoing loan is to another accredited museum, no financial recompense will be sought, other than that the museum will have the discretion to recharge any costs that it would not otherwise have incurred.
- 3.5 Where a request for the loan of an item comes from another accredited museum, subject to the provisions of 3.1 above there will be a strong presumption in favour of the request being granted.
- 3.6 Relevant third parties must ensure that appropriate insurance arrangements covering outgoing loans are in place from the moment the item(s) pass from the museum's custody until the point when responsibility is formally returned to the museum.

- 3.7 When on display or otherwise in the public eye, it will be a condition of all outgoing loans that the borrower should appropriately acknowledge the museum's ownership of the item in question.
- 3.8 There will be a general, although not universal, expectation that borrowers will cover the cost of transport in both directions and any costs associated with the item's care whilst it is in their possession.
- 3.9 There is a general expectation that any concerns about the condition of an item on loan to a third party will be referred immediately back to the museum.
- 3.10 All borrowers will be required to fully indemnify the Council in respect of any claim or health and safety liability that may arise, other than where information that should reasonably have been known to the Council was not effectively communicated to the borrower.
- 3.11 An outgoing loan may be terminated by the Director of Development and Environment, as advised by the Council's senior museum professional, at any time for breach or with a period of notice to be set out in the loan agreement. However, other than when terminated for breach, where an outgoing loan is terminated early the borrower will be entitled to ask to be indemnified by the Council in respect to part of any costs the borrower incurred in the expectation that the loan would subsist for its duration as originally agreed.

4 INCOMING LOANS

- 4.1 Subject to 2.2 above, at the discretion of the Director of Development and Environment, as advised by the Council's senior museum professional, the museum may borrow any item deemed relevant to its purposes as set out below, from an accredited museum, other organisation or private individual.
- 4.2 The museum may borrow any item, without restriction, where it is identified as being relevant for inclusion within a temporary exhibition. Other than in making reasonable time allowances for exhibition preparation and disassembly, the duration of such loans will not normally extend beyond the period of the exhibition in question.
- 4.3 The museum may borrow any item covered by its Collecting Policy, or specifically required for comparative purposes, for inclusion in its long-term displays or for research purposes. When such an item is no longer wanted for display or once active research involving it has come to an end, it will normally be returned to its owners as soon as is practicably possible. Any such loan will be for a maximum of ten years at any one time, subject to renewal as necessary by mutual agreement between the parties.
- 4.4 From time to time, the museum may identify items of great individual significance and covered by its Collecting Policy, which are owned by non-museum organisations or private individuals, which the museum would actively seek to acquire on a permanent basis given the opportunity to do so, but of which the owners wish to retain ownership. In such circumstances the Director of Development and Environment, as

advised by the Council's senior museum professional, may authorise the item to be held on loan in storage as well as when required for display. Any such loan will be for a maximum of ten years at any one time, subject to renewal as necessary by mutual agreement between the parties. However, subject to this specific exclusion, as a general rule the museum will not hold items on loan for long periods unless required for display or active research.

5 OPERATIONAL ITEMS

- 5.1 This Policy is not intended to apply to circumstances where the museum wishes to borrow or hire an item, including locomotives and other railway vehicles, for operational use rather than because of the item's historical significance. In such circumstances, terms of contract will be agreed between the parties.
- 5.2 However, for the avoidance of doubt, where the museum wishes to borrow an item because of its historical significance and it is also intended that the item should work, this Policy will apply. Other than as set out below, no item may be operated on the museum site unless it is formally on loan to the museum or covered by contractual arrangements as an item of working plant.
- 5.3 An exception to this general rule is noted in relation to locomotives and other railway vehicles being moved around by one of the Council's partner organisations with right of access to the site's internal railway system, solely to meet that organisation's own operational needs and not for public demonstration or display purposes. Items being moved under such circumstances need not be placed on loan with, or hired to, the museum, provided that the organisation in question operates in accordance with the museum's Safety Management System and has insurance cover to the satisfaction of the Council's Insurance Unit.
- 5.4 In all circumstances where an operational locomotive or other vehicle belonging to a third party is present on the site, it will remain the responsibility of the owners, rather than the museum, to arrange steam boiler or pressure vessel inspections and insurances as necessary.
- 5.5 Where the museum hires or, under this Policy borrows, an operational locomotive, the arrangement may (but need not) be made subject to the terms of a Private Owner Agreement in a form recognised by the Heritage Railway Association.

6 INSURANCE

- 6.1 All incoming loans will be fully covered at an Agreed Value by All Risks insurance cover put in place by the Council, from the moment the item passes into the museum's custody until the point when responsibility is formally returned to the owner or an agreed third party such as a road haulage contractor.

7 MAINTENANCE OF RECORDS

- 7.1 The museum will maintain full, detailed records of the current location, condition and agreed value of all incoming and outgoing loans, to the satisfaction of the Council's Insurance Unit. From time to time the Audit Section will make spot checks or undertake a full review of these records.
- 7.2 No less than once every twelve months, an inventory and condition check will be completed for all incoming loans. On an equivalent cycle the museum will check the status of all outgoing loans, making a site visit and visual inspection where appropriate.

8 REVISION OF POLICY

- 8.1 This Policy will be reviewed no later than September 2011.