

Museums and Archives Acquisition and Disposal Policy

Collections: The Museums and Archives of The Royal College of Surgeons of England, including Deposited and Corporate Archives; the Hunterian Collection; the College Museum; the Wellcome Museum of Anatomy and Pathology; the Odontological Collection; the Historical Instrument Collection; the Special Collections and associated reserve collections.

Governing body: The Royal College of Surgeons of England /
Board of Trustees of the Hunterian Collection (for the Hunterian Collection)

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1. Scope and purpose of the policy

- 1.1. The Council of the Royal College of Surgeons of England (hereafter, 'the College') holds collections of outstanding medical, scientific, historical and cultural significance, Designated by Arts Council England. Its aim is to use these collections:
 - 1.1.1. To enhance the College's reputation by raising awareness of surgeons and their work in society.
 - 1.1.2. To aid the professional work of the College by providing training resources.
 - 1.1.3. To facilitate and generate excellent medical, scientific, historical and other research.
- 1.2. This policy covers all accessioned material held in the museum and archive collections of the College, including items of historic or artistic significance formerly classified as the College's Special Collections.
- 1.3. This policy does not cover material held in the College's Library and Surgical Information Services, but is designed to complement the policy governing historic material in these collections.
- 1.4. The purpose of this policy is to define the present state and use of the museum and archive collections and to set out clear policy regarding the acquisition and disposal of material. It ensures material is accepted according to a recognised strategy and serves as a reference document to guide decision making by staff and Trustees.
- 1.5. This policy is also intended to encourage public confidence in the College as a suitable and responsible repository. It complies with the requirements of the Museum, Library and Archives Council's Museum Accreditation Scheme (2008 revision); the Code of Ethics published by the Museums Association (2008); the Code of Ethics published by International Council of Museums in 2006; and the statutory obligations of the College as both a registered charity and as an institution licensed under the Human Tissue Act 2004. In holding and acquiring museum archives, including photographs and printed ephemera, the College will be guided by the *Code of Practice on Archives for Museums and Galleries in the United Kingdom* (third edition, 2002).

2. Existing collections covered by the policy

- 2.1. In 1799 the Company of Surgeons in London received the museum collection of the surgeon John Hunter (1728–93), which was purchased by the government and transferred in to the care of the Company under the supervision of a Board of Trustees. In 1800 the Company of Surgeons became the Royal College of Surgeons in London by the charter of George III (subsequently amended by a Charter of 1843 to The Royal College of Surgeons of England). The Hunterian Collection was incorporated into the College Museum, to which additions of objects, specimens, books and manuscripts were made throughout the 19th and early 20th century. In 1909 the College received on loan from the Royal Society of Medicine the museum collection of the Odontological Society of Great Britain: this loan was converted into a gift in 1941. Following destruction of a large part of the collection and of the original College building by bombing during the Second World War, a decision was taken to split the original College museum into four departments, each of which operated separate accession and/or disposal procedures. These were brought under a common management structure in the 1990s; in 2010 the archives and museums merged to form a single department.
- 2.2. This policy now covers all material accessioned into the different museum and archive collections, which are described in the appendix: Hunterian Collection; College Museum Collection; Odontological Collection; Historical Instrument Collection; Microscope Slide Collection; Pathology Collection; Anatomy Collection; Special Collections; Deposited Archives; and Corporate Archives.

3. Criteria governing future collecting

- 3.1. Acquisition will only be undertaken if the material has demonstrable potential use in engagement, learning and/or research, and also meets the collection-specific criteria detailed below.
- 3.2. The **Hunterian Collection**, the **Odontological Collection** and the **Microscope Slide Collection** are closed collections and are not subject to collecting.
- 3.3. The **College Museum Collection** is subject to collecting in the following areas:
 - 3.3.1. Artefacts (other than instruments) associated with surgical and dental research or training since 1800, including the basic sciences of anatomy, pathology, physiology and histology, particularly where these are related to the College's own activities or to its members.
 - 3.3.2. Other artefacts associated with the history of the College and the Company of Surgeons.
- 3.4. The **Historical Surgical Instrument Collection** is subject to collecting in the following areas:
 - 3.4.1. Surgical or dental instruments and associated medical devices associated with the College's own activities as a teaching or research institution.
 - 3.4.2. Instruments and associated medical devices associated with important figures in the history of the College or the history of surgery in England and Wales.
 - 3.4.3. Instruments and associated medical devices associated with the development of surgical practice, research or training since 1950.
 - 3.4.4. Instruments and associated medical devices intended to support the permanent displays relating to the history or current practice of surgery within the Hunterian Museum.
- 3.5. The **Special Collections** are subject to collecting and/or commissioning in the following areas:
 - 3.5.1. Existing portraits (individual or group) representing key figures in the history or current practice of surgery in England or Wales or associated with the work of the College.
 - 3.5.2. Commissioned Presidential and Council Portraits.
 - 3.5.3. Representations of surgeons at work; of the College buildings and its professional work; and of surgical patients, where these are relevant to the history or current practice of surgery.
- 3.6. The **Pathology** and **Anatomy** Collections are subject to collecting and/or commissioning in the following areas, in accordance with the Human Tissue Act 2004:
 - 3.6.1. Recent (less than 100 years) specimens illustrating normal or pathological human anatomy for specific educational purposes.
 - 3.6.2. Specimens over 100 years old illustrating normal or pathological human anatomy.
 - 3.6.3. 'Specimens' include – but are not limited to – prosected regions, bones, body parts in fluids, plastinated remains, and microscope slides.
- 3.7. The **Deposited Archives** are subject to collecting of original unpublished material relating to:
 - 3.7.1. The work of Presidents or Fellows of the College.
 - 3.7.2. The work of prominent surgeons who were members of this College with representative career in surgery.
 - 3.7.3. The work of the College, especially before 1950.
 - 3.7.4. Key surgical discoveries, procedures or teaching.
 - 3.7.5. An institution now considered significant in the history of surgery.

3.8. The **Corporate Archives** are subject to collecting of material generated by the College or its predecessor institutions relating to:

3.8.1. The College's corporate history and activities.

3.8.2. The Company of Surgeons.

4. Acquisition principles and procedures

4.1. 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 pragmatic factors including staffing, storage and collection care.

4.2. The College will take account of the collecting policies of other museums, archives and organisations collecting in the same or related areas. It will consult with these organisations where conflicts of interest may arise or to define areas of specialist interest, in order to avoid unnecessary duplication and waste of resources. Specific reference will be made to the following:

4.2.1. Other medical royal colleges.

4.2.2. London Museums of Health and Medicine collections.

4.2.3. Thackray Medical Museum.

4.2.4. Wellcome Trust.

4.3. The College will exercise due diligence and make every effort not to acquire, whether by purchase, gift, bequest or exchange, any item unless the governing body or responsible officer is satisfied that the museum or archive can acquire a valid title to the item in question.

4.4. In particular, the museum will not acquire any item unless it is satisfied that the item has not been acquired in, or exported from, its country of origin (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 'country of origin' includes the United Kingdom).

4.5. 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 2002, and the Dealing in Cultural Objects (Offences) Act 2003, the museum will reject any items that have been illicitly traded. The governing body will be guided by the national guidance on the responsible acquisition of cultural property issued by the Department of Culture, Media and Sport (DCMS) in 2005.

4.6. The museum will not acquire archaeological antiquities (including excavated ceramics) in any case where the governing body or responsible officer has any suspicion that the circumstances of their recovery involved a failure to follow the appropriate legal procedures, such as 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 England, Northern Ireland and Wales) and its 2003 revisions, or reporting finds through the Treasure Trove procedure (in Scotland).

4.7. Any exceptions to the above clauses will only be because the museum is either:

4.7.1. Acting as an externally approved repository of last resort for material of local (UK) origin;

4.7.2. 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;

4.7.3. acting with the permission of authorities with the requisite jurisdiction in the country of origin; or

4.7.4. in possession of reliable documentary evidence that the item was exported from its country of origin before 1970.

In these cases 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.

- 4.8. So far as biological and geological material is concerned, the College will not acquire by any direct or indirect means any specimen that has been collected, sold or otherwise transferred in contravention of any national or international wildlife protection or natural history conservation law or treaty of the United Kingdom or any other country, except with the express consent of an appropriate outside authority. Especially, the College will not acquire objects and materials made of, or including in their composition, parts or derivatives of wild fauna or flora included in any appendix to the Convention on International Trade in Endangered Species convention, where that object or material has been traded in contravention of the Convention since 1973.
- 4.9. The College will act in accordance with the 'Spoliation of Works of Art during the Nazi, Holocaust and World War II period' statement issued for non-national museums in 1999 by the Museums and Galleries Commission and consult the DCMS Spoliation Advisory Panel where necessary
- 4.10. The Museum will ask all donors and vendors to sign a Transfer of Title Form transferring all rights and titles they may have, including intellectual property rights, to the College. The College will not acquire material with any prohibitive preconditions or access embargoes (legislation mentioned in 4.11 notwithstanding).
- 4.11. The College will act in accordance with all current legislation impacting upon access and use of acquired material (including Freedom of Information, Data Protection and Copyright and Intellectual Property legislation).
- 4.12. The College reserves the right to appraise material upon acquisition and selectively to retain or dispose according to these stated criteria.
- 4.13. Acquisitions outside the current stated policy will only be made in very exceptional circumstances, and then only after proper consideration by the College, having regard to the interests of other museums and archives.
- 4.14. See section 6 below for additional principles and procedures relating to human remains.

5. Disposal principles and procedures

- 5.1. By definition, the College's museums and archives have long-term purposes and should possess (or intend to acquire) permanent collections in relation to their stated objectives. The College accepts the principle that, except for sound curatorial reasons, there is a strong presumption against the disposal of any accessioned items in the collections.
- 5.2. The museum will establish that it is legally free to dispose of an item. Any decision to dispose of material from the collections will be taken only after due consideration.
- 5.3. When disposal of an item is being considered, the College 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.
- 5.4. Decisions to dispose of items will not be made with the principal aim of generating funds.
- 5.5. Any monies received by the museum governing body from the disposal of items will be applied for the benefit of the collections in pursuance of their stated charitable purposes. Advice on these cases will be sought from appropriate professional and regulatory bodies.
- 5.6. A decision to dispose of an 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), will be the responsibility of the College Council acting on the advice of professional curatorial or archival staff, if any, and not of the individual staff acting alone.
- 5.7. Once a decision to dispose of material in the collection has been taken, 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, exchange or sale, directly to other Accredited museums or Registered archives likely to be interested in its acquisition.

- 5.8. If the material is not acquired by any Accredited museum or recognised archive to which it was offered directly, then the heritage community at large will be advised of the intention to dispose of the material, normally through an announcement in appropriate professional fora.
- 5.9. The announcement will indicate the number and nature of items 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 or Registered archives. 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.
- 5.10. 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 College will therefore ensure that issues relating to accountability and impartiality are carefully considered to avoid undue influence on its decision-making process.
- 5.11. Any monies received by the museum governing body from the disposal of items will be applied for the benefit of the collections. This normally means the purchase of further acquisitions. In exceptional cases, improvements relating to the care of collections in order to meet or exceed Accreditation requirements relating to the risk of damage to and deterioration of the collections may be justifiable. Any monies received in compensation for the damage, loss or destruction of items will be applied in the same way. Advice on those cases where the monies are intended to be used for the care of collections will be sought from the Arts Council England. The proceeds of a sale will be ring-fenced so it can be demonstrated that they are spent in a manner compatible with the requirements of the Accreditation standard. 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 procedure on deaccession and disposal for museum items.
- 5.12. See section 6 below for additional principles and procedures relating to human remains.

6. Human remains principles and procedures

- 6.1. The College will acquire human material only in accordance with current UK legislation (including the Human Tissue Act 2004 or any subsequent legislation in connection with the acquisition, retention, disposal and use of human remains) or of any international legal regulation regarding the exportation and importation of human remains. In particular, anatomical and pathological preparations less than 100 years old will be acquired (see 3.6 above) only if they have a specific education purpose, and they are demonstrably acquired and will be kept in accordance with the terms of the Human Tissue Act 2004.
- 6.2. The College will only acquire human remains when it can be demonstrated that this acquisition, and subsequent storage and use, will be within the DCMS and Human Tissue Authority codes of practice for human remains:
 - 6.2.1. Directly-donated human remains for public display from living individuals or those who died after 2006 will only be accepted with signed consent forms (available on request from the Director of Museums and Archives).
 - 6.2.2. An institutional transfer of human remains for public display from individuals who died after 2006 will only be accepted from a suitably licensed institution with consent forms that follow the appropriate Human Tissue Authority codes of practice.

- 6.2.3. Human remains for public display less than a century old will only be accepted with documentation detailing the dates the remains were acquired by the donor.
- 6.2.4. Human remains for public display more than a century old will only be accepted with documentation detailing how long they have been in another collection or evidence of the age of the remains.
- 6.3. The College will not dispose of any specimen in contravention of any relevant UK legislation (including the Human Tissue Act 2004 and any subsequent legislation in connection with the acquisition, retention, disposal and use of human remains) or of any international legal regulation regarding the exportation and importation of human remains:
 - 6.3.1. In the rare instances that human remains have deteriorated beyond use, the College may consider destruction according to appropriate Human Tissue Authority codes of practice.
 - 6.3.2. Unidentifiable organs and tissue may be incinerated.
 - 6.3.3. Identifiable organs and tissues may be cremated or incinerated after consultation with the crematorium's medical referee, under the Cremation (Amendment) Regulations 2006.
 - 6.3.4. Where known, disposal will be undertaken in consultation with relatives or recognised groups with legitimate cultural connections.
- 6.4. So far as human material derived from named individuals is concerned the College will consider requests for its return received from close relatives sympathetically, on a case-by-case basis, provided that:
 - 6.4.1. They can furnish legal evidence of the relationship.
 - 6.4.2. The wishes of the named individual are not contravened.
 - 6.4.3. The return does not involve contravention of any relevant British regulation (including the Human Tissue Act 2004) or of any international legal regulation regarding the exportation and importation of human remains.
- 6.5. Any decision to return such material can be taken only after due consideration by the governing body of the College and in the case of any material from the Hunterian Collection with the permission of the Board of Trustees of the Hunterian Collection.
- 6.6. The College, acting on the advice of the museum's professional staff, may take a decision to return human remains (in compliance with the DCMS *Guidance for the Care of Human Remains in Museums* 2005), objects or specimens to a country or people of origin. The museum will take such decisions on a case by case basis; within its legal position and taking into account all ethical implications and available guidance. The disposal of human remains will follow the procedures in the *Guidance for the Care of Human Remains in Museums*.
- 6.7. So far as human remains and other artefacts of non-European indigenous peoples are concerned, the College will consider sympathetically requests for the return of material less than 1,000 years old for which accurate geographical provenance exists, on a case-by-case basis, provided that:
 - 6.7.1. The request originates from a representative body recognised as such under relevant regional, state or national legislation covering the return of human remains.
 - 6.7.2. Ownership of the remains is not contested between two or more recognised representative bodies.
 - 6.7.3. Return does not involve contravention of any relevant local or British or international legal regulation regarding the treatment or transport of human remains.
- 6.8. In the event of such a request being received, the College Council, and in the case of any material from the Hunterian Collection, the Board of Trustees of the Hunterian Collection, will seek opinion of the scientific and historical value of the specimens concerned,

together with the views of the indigenous community from whom the request is made. This information will be taken into consideration when deciding whether to grant any such requests.

7. Policy review procedure

- 7.1. The Acquisition and Disposal Policy will be published and reviewed at least once every five years. The date when the policy is next due for review is noted above. Appropriate regulatory and professional bodies will be notified of any changes to the Acquisition and Disposal Policy, and the implications of any such changes for the future of existing collections.

Appendix: Collection Remits

Hunterian Collection: 3,733 specimens, mostly of human and comparative anatomy and pathology or natural history, together with 25 paintings and approximately 800 drawings, made or owned by John Hunter (1728–93), and included in the original transfer of 1799. Hunter's surviving manuscripts and copies of his published works are held separately in the College Library and Archives, but are a valuable supporting resource. **College Museum Collection:** 3,666 items, mostly specimens of comparative anatomy but with some human anatomical and pathological specimens and approximately 160 objects, including teaching models, ceremonial items presented to the College and personalia associated with College members, accessioned into the museum collections since 1800. It includes material dating back to the 17th century, acquired by purchase, gift or exchange since the foundation of the College. The collection includes a small number modern specimens of human anatomy covered under the Human Tissue Act.

Odontological Collection: 10,777 items, mostly specimens or models of human and comparative dental anatomy and pathology acquired by the Odontological Society of Great Britain from the late 1850s, or by the College after the transfer of the Odontological Collection in 1909. The collection includes some archaeological human remains, including significant collections from Anglo-Saxon burial site excavations at Breedon-on-the-Hill in Leicestershire and Polhill in Kent. The collection also includes some non-European human remains. A collection of approximately 400 zoological and anatomical specimens owned by the primatologist William Charles Osman Hill (1901–75) forms a discrete sub-collection.

Historical Instrument Collection: A collection of 11,112 surgical or medical instruments dating back to the 17th century, acquired by the College between from the early 19th century to the present, designed to illustrate the development of surgical instrumentation and including sets of instruments or equipment owned by important figures in the history of surgery, including Joseph Lister (1827–1912), William Macewen (1848–1924) and Harold Gillies (1882–1960).

Microscope Slide Collection: Over 15,000 microscope slides or slide sets, including the Quekett Collection prepared or acquired by the histologist John Quekett (1815–61) in the mid-19th century.

Pathology Collection: 4,150 specimens of mostly human pathology, acquired by the College since 1800. The collection includes historical material from the collections of prominent surgeons such as Astley Cooper (1768–1841), some of which probably dates to the late 18th century, as well as modern specimens covered under the terms of the Human Tissue Act.

Anatomy Collection: 815 specimens or models of human anatomy, including a small number dating back to the late 19th century. Most are post-1950 accessions and the majority of the collection is covered by the Human Tissue Act.

Special Collections: This includes objects of historic, artistic or architectural significance series acquired by the College since 1800, including a small number of items which were formerly the

property of the College's predecessor body, the Company of Surgeons in London (1745–99). It includes 3,000 works of fine and decorative art, including paintings, drawings, prints, photographs and sculpture, dating back to the 16th century. The majority of the collection consists of portraits of surgeons or patrons associated with the College or its predecessor bodies; prominent figures in the history of British surgery, medicine and the sciences; works depicting the College buildings and other places associated with British surgery and medicine; and works depicting surgical procedures, pathological or anatomical features; and surgical patients. Special collections also include historic silver, medals, furniture and ceramics.

Deposited Archives: Over 650 individual collections collected by the College since its formation. These collections largely relate to eminent surgeons, particularly those who were Fellows, Presidents or Members of the College. The papers include lecture notes, case notes, illustrations and correspondence. Also included are papers from hospitals, 17th century medical recipe books and the archives of those closely connected to the work of the Hunterian Museum. The collections date up to the 21st century.

Corporate Archives: Consists of 800 boxes/volumes (22 fonds) of records created and preserved by the College since 1745. The majority date from the 19th and 20th centuries and document the decisions of the council and the examinations process. Other records document the College's buildings, research and teaching programme, museum, archives & library, membership, and relationships with other bodies.