

Thinking about...

Buying heritage items and collections

September 2011

You can get more copies of this guidance by:

- downloading it from www.hlf.org.uk;
- emailing enquire@hlf.org.uk;
- phoning our helpline on **020 7591 6042**;
- contacting us by textphone on **020 7591 6255**; or
- using Text Direct **18001 020 7591 6042**.

If you require a copy of this guidance in an alternative format (large print, braille or audio version), or if your first language is not English, we can provide it in the appropriate format or language if you ask us. It is also available in Welsh.

Thinking about... Buying heritage items and collections

Contents

1	Introduction	3
2	Our aims	3
3	What we fund	4
4	Important points about our funding	4
5	Meeting our aims	6
6	Examples of Learning and Participation activities	8
7	Preparing your application	9
8	The information we need	10
9	Sources of advice and information	11
10	Sources of grant funding for acquisitions	13
Appendix		
	Our grant programmes	14
	Our offices	16

Thinking about... Buying heritage items and collections

1 Introduction

The Heritage Lottery Fund (HLF) was set up in 1994 to distribute money raised by the National Lottery to heritage projects throughout the UK. In our first 12 years we awarded over £4 billion in grants to over 26,000 projects, from multi-million-pound investments in well-known sites and buildings to small grants making a big difference to community groups. We have a range of grant programmes for projects of different types and sizes – see the Appendix for more information.

We have designed this guidance to help you think about a possible application to us to buy a heritage item or collection.

We can offer advice **before you apply**, but first please use our website www.hlf.org.uk to:

- read the guidance in the application materials for the grant programme you are interested in;
- decide broadly what you want to do and roughly how much money you are likely to ask us for;
- fill in a pre-application enquiry form online or in hard copy; and
- send it through our website or send it to your country or regional HLF team who will then contact you to offer advice on your project.

Please read this guidance and the notes in the application pack and use them together.

2 Our aims

HLF gives grants to support a wide range of projects involving the local, regional and national heritage of the United Kingdom.

We have three main aims which relate to learning, conservation and participation.

To receive a grant your project must:

- help people to learn about their own and other people's heritage.

Your project must also do either or both of the following:

- conserve the UK's diverse heritage for present and future generations to experience and enjoy;
- help more people, and a wider range of people, to take an active part in and make decisions about heritage.

Thinking about... Buying heritage items and collections

3 What we fund

You can apply to us for projects that involve buying heritage items or collections to add to your organisation's existing permanent heritage collections.

We have two grant programmes to which you can apply: Your Heritage for grants of £3,000 to £50,000 and Heritage Grants for grants over £50,000. A project which involves buying a heritage item (or items) must meet the criteria for the grant programme to which you are applying.

We will only help to buy items or collections if:

- risks to their long-term future will be reduced if you buy them;
- the price accurately reflects their condition and value;
- you have a collecting policy and the purchase is in line with your policy;
- the items will be accessible to the public once purchased;
- the items will help people learn about heritage in the context of your existing collections; and
- you can show that you have adequate plans for their long-term care and maintenance.

We will fund buying works of art, archives, objects and other collections which are important to the heritage and which were created more than 10 years ago. We will also fund buying more recent items of heritage importance, but only if they are part of a larger collection which is more than 10 years old.

We do not fund projects whose only activity is the purchase of heritage items. You can apply for a grant for buying the item and for relevant work such as cataloguing, conservation, and programmes of activity which make the item (or items) accessible to the public and help people learn about this aspect of our heritage (see Sections 5 and 6 for more information).

4 Important points about our funding

Urgent purchase

If you need an urgent decision from us, you must contact your HLF country or regional office to discuss this before you apply. We can only consider offering fast-track decisions for buying heritage items or collections if the deadline means we cannot assess your application within our usual timetable. Our staff will discuss with you the implications of our fast-track procedure for your application. If you have a short amount of time to buy the item (or items) we ask you to provide us with details of how this object will be integrated into your existing learning activities and public programmes. We do not require you to have a separate activity plan but we will expect activities and programmes to be appropriate for the object you are acquiring.

Thinking about... Buying heritage items and collections

Export stop

We will not give priority to a purchase simply because of an export stop. An export stop gives organisations a chance to raise money needed to buy an item or collection which is intended for export. The export stop defers the export licence for a specified period in order that an offer may be made from within the UK. If you intend to apply to us you should contact your HLF country or regional office as soon as possible, and within the first deferral period.

Valuation

We will not support purchases which we think are above market value. You must supply an independent valuation on an open-market basis for the item (or items) you wish to buy. We will normally also commission a valuation and discuss with you any difference in valuations. You do not need to commission a valuation for an item (or items) which is the subject of an export stop or part of the Treasure Valuation Process.

Items on loan

If you already have the item (or items) on loan to you, you will need to show us what extra benefits buying them will bring.

Purchase from a public collection

There is unlikely to be sufficient public benefit in the acquisition of a heritage item by one publicly-funded collection from another for us to consider funding the purchase.

Access, touring and lending

If we help you to buy an item or a collection, we expect you to give the public appropriate access to it, for example through permanent display in a museum/gallery or historic house, or through display and/or study facilities in an archive or library.

We also expect you to consider all reasonable options for touring and lending to other suitable organisations to give the widest possible access. You may lend an item for up to 12 months; if you wish to lend for longer than this you must ask us for permission. All borrowing organisations must be able to look after the items to at least the same standard as you and provide suitable access to them. You must provide information which shows that other venues are suitable to host the item (or items). Organisations to whom you lend items or tour exhibitions may be within your own region or country or beyond, but we will only fund activities within the UK.

Thinking about... Buying heritage items and collections

Eligible costs associated with a purchase

These include:

- the purchase price itself;
- fees incurred by your organisation as the buyer including valuations; agent's fees; and the buyer's premium for purchases at auction; and
- irreclaimable VAT.

Ineligible costs include:

- vendor's fees (e.g. legal and agents' fees).

Other costs

These include the costs of all the other activities you will do in your project once you have bought the item (or items), for example:

- conservation work;
- cataloguing, documentation and/or digitisation;
- staff and volunteer training; and
- activities for the public.

The costs of your activities must be in proportion to the cost of the item (or items). See Section 6 for more information on activities for the public.

Partnership funding

Section 10 of this guidance includes a list of other funders who give grants for buying heritage items; it is not exhaustive and you should explore fully all possible sources of partnership funding even if you have a short amount of time for the purchase.

Terms of grant

For all projects involving a purchase, the terms of grant will last for 80 years (contract life) irrespective of the grant amount. If we award you a grant, we may require a charge on the item (or items).

5 Meeting our aims

If you are applying to us to buy a heritage item (or items) to add to your organisation's permanent heritage collections and to make available to the public your project will meet our **Conservation** aim:

- to conserve the UK's diverse heritage for present and future generations to experience and enjoy.

Thinking about... Buying heritage items and collections

You will also meet this aim if you carry out work once you have purchased the item; including:

- conservation; or
- cataloguing, documentation and/or digitisation.

In addition you must meet our **Learning** aim:

- to help people to learn about their own and other people's heritage.

There are three main ways you can meet this aim:

- * provide information about your heritage and interpret it for people – for further information see *Thinking about interpretation*;
- * create opportunities for people to gain new or increased skills – for further information see *Thinking about training*; and
- * hold events or activities to help the general public or particular groups of people learn about your heritage – for further information see *Thinking about learning*.

Your project might do one of these things or a combination of them depending on its size and scope. See Section 6 for examples of what your project might do.

We also aim:

- to help more people, and a wider range of people, to take an active part in and make decisions about heritage.

We call this our **Participation** aim. Although you do not have to meet this aim as your project meets our Conservation aim, we encourage you to think about how the public can take an active part in your project. There are three main ways you can meet this aim:

- create opportunities for people to volunteer in your project – for further information see *Thinking about volunteering*;
- help your community to take an active part in your project, including helping people make decisions about heritage – for further information see *Thinking about community participation*; and
- develop new or wider audiences for your heritage – for further information see *Thinking about audience development*.

See Section 6 for examples of what your project might do.

Thinking about... Buying heritage items and collections

6 Examples of Learning and Participation activities

Learning

- Displays and/or special exhibitions featuring the item (or items) you have bought and using your own existing collections and items lent by others;
- Leaflets, audio tours, children's trails, talks or other forms of interpretation;
- A multimedia installation to give access to a book or manuscript;
- Touring exhibitions or loans to museums/archives/sites/historic houses which can add their own related material or to places where people have no opportunity to see and learn about this kind of heritage;
- Photographic exhibitions of fragile items in places such as public libraries, shopping centres or hospitals;
- Activities for families focusing on the item, its history and social context; for example using art, drama, music or storytelling;
- Schools or adult education programmes;
- Art or creative writing workshops on themes related to the item for particular groups e.g. young people, older people or local residents;
- Workshops for the public to understand conservation of the new item;
- Opportunities for existing volunteers to gain new skills and knowledge e.g. in conservation or in leading education activities; and
- Programmes of sharing skills with other professionals e.g. work placements.

Participation

- New opportunities for volunteers to work with the item (or items) e.g. giving gallery talks, cataloguing an archive, leading family activity sessions, collecting oral histories;
- Displays and exhibitions devised, developed and curated by your local community;
- An outreach programme to audiences that are not currently involved with your collections;
- Community panels involving people who do not normally have a say in what you do but have an interest in your collections e.g. young people, people from a particular ethnic community.

Your project might do one of these things or a combination of them depending on its size and scope. The scale and scope of your activities must be in proportion to the cost and significance of the item (or items) you are buying.

Thinking about... Buying heritage items and collections

Your budget for activities

We will fund the types of activities described above in a project where you are buying a heritage item (or items). The activities must be on top of the everyday work of your organisation and must be specific to the project for which you are seeking funding. In the case of an urgent acquisition we expect you to provide us with details of budgets spent on the activities and programmes in which the acquisition will be used.

The costs of your activities must be in proportion to the cost of the item (or items).

The costs can include:

- staff to develop, manage and deliver the activities e.g. Education Officer, Audience Development Officer or Community Outreach Officer;
- freelance staff and professional fees necessary to create or deliver activities;
- equipment and materials;
- training for staff and volunteers;
- publicity and promotional material; and
- evaluating your activities.

If you are applying to Heritage Grants you will give us an idea of what you want to do in your project and what it will cost in your first-round application; if you are given a first round pass you will then work this up in detail during the development period and submit an activity plan with your second-round application. See *Planning activities in heritage projects* for more information.

7 Preparing your application

Before you apply to us you should:

- read the guidance on purchasing available on the Cultural Property website: www.culturalpropertyadvice.gov.uk, in particular *Buying with confidence* and *Due diligence processes*;
- read the Museums Association's guidance *Buying in the market* available at www.museumsassociation.org.uk;
- look at the Museums, Libraries and Archives Council's guidance on options for safeguarding heritage items, including the Acceptance in Lieu (AiL) Scheme and Private Treaty Sales; see www.mla.gov.uk/programmes/cultural_property
- take advice from relevant specialist organisations (see Section 9);
- explore sources of partnership funding (see Section 10); and
- consider the issues below.

Thinking about... Buying heritage items and collections

General issues

- Is the purchase in line with your current collecting policy?
- Are you satisfied that there is documented evidence of the complete history of the item (or items)?
- Is purchase the only option or have you explored alternatives?
- Have you consulted other institutions collecting in the same field to ensure you are not competing against them, especially if the items are coming up at auction?

Archives

- Have you consulted The National Archives Sales Monitoring Team or another appropriate national institution? For example the British Library (for literary, liturgical, Biblical or music manuscripts), the National Archives of Scotland, the National Library of Scotland, or the National Library of Wales.
- If you are buying material that has been deposited in a public repository has the price been abated, through a private treaty sale or by any relevant tax concessions, to reflect the costs of care, cataloguing, storage and other benefits provided to the owner?
- Is the archive on offer complete or will the offer bring the remainder of an archive into the public domain?
- Are the archives in good physical condition? If not, and conservation work is required, has the price been adjusted to reflect this?

8 The information we need about the purchase

You must provide all the relevant information we ask for in the application pack for Your Heritage or Heritage Grants.

In addition we need specific information from you relevant to the item (or items) you are buying. You should include this information in your answers to the questions in the application pack and only send separate material where this is not possible.

We need:

- documentary proof of the provenance (origin) of the item (or items). Examples of proof include sale documents, legal documents, export documents, written statement by current owner, history of the item (or items); and
- evidence that the current owners are the owners (have legal title) and have the right to both sell the item (or items) and transfer the title to the new owner.

Thinking about... Buying heritage items and collections

If an item is for sale by auction or under export stop it may not be possible for you to get this information; see the Museums Association's guidance *Buying in the market* (listed in Section 9) .

We also need:

- information about the history and significance of the item (or items);
- an independent valuation on an open-market basis for the item (or items) you wish to buy; this should include the valuer's reasoning to support the valuation, not just a statement of the value;
- a statement about why you are the right organisation to own the item (or items). This should be supported by what you say in your policies, such as your collecting or collections management policy;
- evidence that you will become the full owner of the item (or items) or put a good case for well-planned joint ownership;
- evidence that you have followed current guidance on portable antiquities, illegal trade, and items and collections that could be sensitive. You should provide a statement outlining your research into the relevant laws and guidelines on ethical acquisitions;
- a description of how you will deal with any intellectual property rights (copyrights) associated with making the item (or items) accessible or using them in your proposed activities, including the costs of dealing with the rights;
- a description of how you will manage the item (or items) and keep it secure, both at the time you buy it and in the future; and
- a conservator's report saying whether the purchase has conservation needs and, if so, how you will meet those needs. The report should include evidence that your organisation has the right environmental conditions to house the purchase.

9 Sources of advice and information

These websites and organisations will help you find out more detailed information on all aspects of buying heritage items. You should consult their advice on best practice.

Cultural property website

Help with all aspects of collecting, buying, and selling heritage items.

Checklists include:

Buying with confidence – information on questions to ask the person from whom you are buying an object.

Thinking about... Buying heritage items and collections

Online sources – guidance on buying online

Acceptable evidence and Due diligence processes – appropriate steps to avoid becoming involved in illicit activity

Legislation – covers the risks of not exercising due diligence.

Download from www.culturalpropertyadvice.gov.uk

Museums, Libraries and Archives Council (MLA)

Guidance includes:

The Acceptance in Lieu scheme – enables taxpayers to transfer important works of art and other important heritage objects into public ownership while paying Inheritance Tax, or one of its earlier forms. The taxpayer is given the full open market value of the item, which then becomes the property of a public museum, archive or library.) Where the value of an item is greater than the tax owed by the vendor it is possible to have a hybrid arrangement where the difference is handled as a private treaty sale (see below).

Private Treaty Sales – the purchase by a public museum or gallery in the United Kingdom and Northern Ireland of an item which has been granted Conditional Exemption from Inheritance Tax (or one of its predecessors), at a price which is beneficial to both public purchaser and private vendor.

Accreditation Scheme for Museums in the United Kingdom – sets nationally agreed standards for UK museums. To qualify, museums must meet clear basic requirements on how they care for and document their collections, how they are governed and managed, and on the information and services they offer to their users.

Download from www.mla.gov.uk/programmes

Museums Association

Guidelines include:

Code of Ethics (2007)

**Acquisition: guidance on the ethics and practicalities of acquisition
Buying in the market**

Download from www.museumsassociation.org.uk

The National Archives

Guidance includes:

Acquisitions checklist – for archivists considering making archives or manuscript purchases; it outlines the main issues which need to be considered before a decision to buy is made.

Thinking about... Buying heritage items and collections

Download from www.nationalarchives.gov.uk/archives/sales_monitoring.htm

Sales Monitoring Team – monitors the sales of records through the auction houses and the private salerooms to alert collecting bodies of records on the market that complement their collections

Contact: sales@nationalarchives.gov.uk or Tel. 020 8392 5330 ext. 2612

10 Sources of funding for acquisitions

This list of grant funders is not exhaustive.

National Heritage Memorial Fund (NHMF)

www.hlf.org.uk/nhmfweb/aboutthenhmf

NHMF is the fund of last resort for the nation's heritage, coming to the rescue by funding emergency acquisitions. Charities (voluntary and public) and not-for-profit organisations of all sizes, whose main purposes include preserving cultural or built heritage or conserving the natural heritage, can apply for grants. Private individuals and commercial businesses cannot apply.

Art Fund

www.artfund.org/grants

Any UK public collection accredited with the Museums, Libraries and Archives Council (MLA) may apply to the Art Fund for a grant towards a purchase.

MLA/V&A Purchase Grant Fund (England and Wales)

www.vam.ac.uk/resources/purchase_grant/index.html

This Fund gives support, advice and grants for acquisitions of objects relating to the arts, literature and history to regional museums, record repositories and specialist libraries in England and Wales.

MLA PRISM Grant Fund (England and Wales)

www.mla.gov.uk/aboutus/grants/PRISM_Grant_Fund/intro

The Fund for the Preservation of Industrial and Scientific Material (PRISM Fund) supports the acquisition and/or conservation of any object or group of objects illustrating the history of any branch of science, industry or technology.

Thinking about... Buying heritage items and collections

National Fund for Acquisitions (Scotland)

www.nms.ac.uk/nationalfundforacquisitions.aspx

The National Museums Scotland manages this Fund on behalf of the Scottish Government. Museums, galleries, libraries, archives and record offices can apply.

Appendix

Our grant programmes

General programmes

Heritage Grants (above £50,000)

This is our main programme for grants over £50,000 for all kinds of heritage, and is open to all not-for-profit organisations. All applications go through two rounds (unless you are unsuccessful at the first round) and you can apply for development funding to help develop your project to the second round. Assessment takes three months at each round and the outcome of your application will then be decided at the next available decision meeting.

Your Heritage (£3000–£50,000)

This is our general small-grants programme for all types of heritage project. It is a flexible programme, open to all not-for-profit organisations, but is particularly designed for voluntary and community groups and first-time applicants, with a much simpler application process and a shorter assessment timetable (10 weeks).

Targeted programmes

Young Roots (£3000–£25,000)

Young Roots is a targeted programme for 13–25-year-olds who want to explore their heritage and develop skills. Young Roots projects stem directly from young people's interests and ideas, harnessing their creativity and energy, building their confidence and helping them work with others.

Parks for People (£250,000–£5 million)

Parks for People supports the regeneration of existing public parks, garden squares, walks and promenades across the UK.

Townscape Heritage Initiative (£500,000–£2 million)

Through our Townscape Heritage Initiative we make grants to help communities regenerate the historic parts of their towns and cities. The programme is designed for areas of particular social and economic need throughout the UK. Partnerships are funded to carry out repairs and other works to a number of historic properties within a defined area, some of which may be in private ownership, and improve the quality of life for all those who live, work or visit there.

Appendix

Landscape Partnerships (£250,000–£2 million)

Landscape Partnerships is our primary vehicle for promoting heritage conservation as an integral part of rural regeneration, delivered by partnerships representing a range of heritage and community interests to tackle the needs of landscape areas that may be in different ownerships. Each scheme is based round a portfolio of smaller projects, which together provide a varied package of benefits to an area, its communities and visitors.

Repair Grants for Places of Worship (£10,000 upwards)

Through this programme we help conserve and sustain heritage at risk through urgent repairs to places of worship. The UK-wide scheme is delivered through four programmes in England, Northern Ireland, Scotland and Wales. Repair Grants for Places of Worship in England and Scotland are awarded up to £250,000 and in Northern Ireland and Wales up to £100,000.

You can get more information by:

- downloading application materials from **www.hlf.org.uk**;
- emailing **enquire@hlf.org.uk**;
- phoning our helpline on **020 7591 6042**;
- contacting us by textphone on **020 7591 6255**; or
- using Text Direct **18001 020 7591 6042**.

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