



Compton Verney Due diligence policy

Due Diligence Policy and Procedures

As outlined in the CVCS Collection Management Policy (section 4.2.3), Compton Verney (CV) will exercise due diligence, in accordance with the following policy and procedures, when considering any loan to a temporary exhibition.

Policy

1. CV's due diligence policy for objects on loan to temporary exhibition is in accordance with all relevant national and international standards, including the following:
 - Statement of Principles issued by the National Museum Directors Conference on "spoliation of works of art during the Holocaust and World War II period" in 1998;
 - Combating Illicit Trade: Due Diligence guidelines for museums, libraries and archives on collecting and borrowing cultural material, published by DCMS, October 2005;
 - The UNESCO 1970 Convention on the Means of prohibiting and Preventing the Illicit Import, Export and Transfer of Cultural Property;
 - The ICOM Code of Ethics;
 - MA Code of Ethics;
 - SPECTRUM: UK Documentation Standard for museums;
 - Convention on International Trade in Endangered Species of Wild Fauna and Flora;
 - ICOM red list.
2. CV has a duty to ensure that every item it borrows for temporary exhibition is legally and ethically sound;
 - That the lender has good legal title and can lend free from encumbrances (eg. debts).
 - That the item was not stolen, looted, illegally imported or exported.
 - That there is no known claim of ownership by a third party.
3. CV will exercise due diligence to establish the status of objects under consideration for loan, making every reasonable effort to investigate the provenance of an object. Where necessary, CV will extend research beyond the information supplied by the lender in an effort to clarify the history of the object.
4. Information obtained about the provenance of an object should be documented and preserved in line with CV's archiving policy (25 years for exhibition files).

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5. Compton Verney will only borrow items if they are legally and ethically sound, and will reject an item if there is any suspicion about it after undertaking due diligence. This decision ultimately rests with the Director of CV.

6. The issue of due diligence is embedded in Compton Verney's risk management strategy.

7. Despite high standards of research, CV also recognises that there may be circumstances in which an object is borrowed for which the history is deemed to be reasonably secure and is accepted in good faith, but for which legitimate ownership is nonetheless challenged. In these cases, CV is committed to giving prompt and serious consideration to bone fide enquiries over ownership and claims to title.

Procedures

1. Work on due diligence is assigned to the lead Curator for the exhibition, with assistance from the Programming department where required. Although assistance may also be provided by an external Curator who is briefed on the importance of due diligence; the ultimate responsibility for ensuring these checks are carried out in accordance with CV's policy and procedures rests with the lead Curator. The Exhibitions Manager is responsible for the publication of any information required for Immunity from Seizure protection, and therefore sets the timetable for the completion of these checks.
2. Lenders are required to declare they have legal ownership of the objects and are unaware of any third party claims, as part of the loans in agreement, completed at the beginning of the loans process. Where lenders provide their own documentation this is scrutinised to ensure it conforms to the relevant standards and addresses issues of provenance and legitimate ownership.
3. Full provenance information is requested of the lender. This will be assessed for any missing or irregular information. Particular attention is paid to the period 1933-1945. If the object has been exported from a country since 1970, CV will seek evidence of this in the form of the export licence or other documented permissions.
4. In cases where the lender is unable to provide a complete provenance, the Curator will consult with scholars and curators in the relevant field, the Art Loss Register and other art loss databases. Checks will be made with auction houses and dealers and any other organisations that might hold information that can be used to establish provenance.
5. Further guidelines and due diligence checklists are available for Curators to assist them with the provenance checking process. Checklists should be signed by both the

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Curator and the Director, and kept on file with the loan documentation along with copies of any correspondence and evidence collected during the checks.

6. All information gathered is considered confidential in accordance with Data Protection legislation.
7. Where Immunity from Seizure protection is sought, information will be published on CV's website, in accordance with the regulations governing the legislation – The Protection of Cultural Objects on Loan (Publication and Provision of Information) Regulations 2008.
8. The carrying out of the due diligence procedures is overseen by the Head of Programming and the ultimate decision whether to borrow an object for loan rests with the Director of CV.

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